

EDITORS' CODE OF PRACTICE COMMITTEE

I am writing on behalf of the Editors' Code of Practice Committee (the "Committee"), the press industry body composed of editors and lay people that is responsible for reviewing and revising the Code of Practice under which the vast majority of Britain's newspaper, magazine and news website journalists work, and which is enforced by the Independent Press Standards Organisation ("IPSO").

The Committee wishes to submit comments on and record some outstanding concerns regarding the ICO's revised draft journalism code of practice (the "ICO Code").

The Committee welcomes the statement, in the ICO's consultation on the ICO Code, that the ICO Code does not concern press conduct or standards in general.

It also welcomes the following statement:

"There is a strong public interest in a free press because it is vital to democracy. A free press can increase knowledge; inform debate; entertain and help citizens to participate in society. All forms of journalism can perform this crucial role, including local stories, entertainment news, and major investigations.

"A free press is also a public watchdog that holds the powerful to account. It acts as an important check on political and other forms of power, particularly abuses of power."

In its previous submission on the first draft of the ICO Code the Committee supported a submission by the Media Lawyers Association which suggested that, in accordance with the ICO's Regulatory Action Objective 5, where a complaint to the ICO about a media organisation raises, in substance, an issue falling under the purview of the organisation's media regulator (IPSO, Ofcom etc), it would be appropriate, in the first instance, for the ICO to refer the matter to that regulator, and that this should be confirmed in the ICO Code.

The Committee notes with disappointment that the ICO has not taken the opportunity to amend the text to reflect that suggestion and believes it would have (a) been in line with the ICO's statements regarding the free press and a reassurance regarding the role of press regulation and (b) consistent with the Better Regulation Task Force's recommendations with regard to consistency, made in its Principles of Good Regulation. We would urge the ICO to re-consider its position on this in the interests of (among other things) avoiding duplicative investigations and encourage it to explore establishing a memorandum of understanding with other relevant regulators (including IPSO). This would offer transparency, simplicity and clarity so that a member of the public wishing to make a complaint would be clear about where their grievance should be addressed.

The Committee would further urge the ICO and IPSO to explore the possibility of entering into a memorandum of understanding to bring greater clarity and definition to their respective remits, as is already in place between Ofcom and the ICO.

The Committee has seen and noted other submissions that call for changes to be made to the ICO Code. It is a matter of concern to the Committee that the sector still seems to have so many points of concern about the foundations and practical implications of the ICO Code notwithstanding that the ICO has already consulted on it. The Committee urges the ICO to give these additional submissions due regard when finalising the ICO Code, with a view to ensuring that the free press can work effectively and the system of press regulation offered by the Editors' Code and IPSO is able to continue, effectively, to both set high standards and provide the opportunity for accountability and redress.

Yours sincerely,

Jonathan Grun
Secretary, Editors' Code of Practice Committee

Notes on Editors' Code of Practice Committee

Members: Neil Benson (Chairman); Ian Carter, The KM Group; Sarah de Gay, independent lay member; Charlotte Dewar, CEO, IPSO; Christine Elliott, independent lay member; Chris Evans, Daily Telegraph; Lord

Faulks, Chairman, IPSO; Anna Jeys, Reach Birmingham; Gary Jones, Daily Express; Frank O'Donnell, Press & Journal; Gary Shipton, JPIMedia; Kate Stone, independent lay member; Emma Tucker, Sunday Times; Tina Sany-Davies, Bauer Media; Ted Young, Metro. Secretary: Jonathan Grun.

A link to the Editors' Code of Practice: http://editorscode.org.uk/the_code.php

A link to the Editors' Codebook: <http://editorscode.org.uk/downloads/codebook/codebook-2022.pdf>

A link to the Better Regulation Task Force Principles of Good Regulation:

<https://www.rgia.org.uk/RQIA/media/RQIA/Resources/Better-Regulation-Task-Force-Principles-of-Good-Regulation.pdf>