



# Statement of General Principles

## Introduction

This Statement of General Principles forms part of the Council's Standards of Practice which are binding on all print and online publishers who are members of the Council. The Standards are applied by it when considering and adjudicating on complaints about particular instances of their practice.

The **Standards of Practice** comprise:

- the **Statement of General Principles**;
- the **Statement of Privacy Principles**;
- a series of **Specific Standards of Practice**, which apply the two Statements of Principles to particular aspects of media practice.

The Council's Advisory Guidelines may also be taken into account but are not binding Standards.

The Standards of Practice apply to text, headlines, photographs, graphics, captions, audio, video and all other forms of published material, but not to advertising.

Publishers and editors are responsible for taking reasonable steps to comply with the Standards in their print and online publications. This applies to actions by their employees and external contributors, including those who are not journalists.

Publisher members are also obliged under the Council's Constitution to cooperate with its handling of complaints. This includes publishing all Council adjudications relating to their particular publications.

## Preamble to the General Principles

In a democratic society, all people have the right to freedom of expression and to be informed. These rights cannot be secured unless the press is free to publish facts and opinions without fear or favour.

Freedom of the press, however, carries responsibilities to the public. Liberty does not mean licence, and due regard must be given to other important freedoms, rights and values which are in the public interest.

Accordingly, the Press Council has laid down the following General Principles to which all publisher members are committed by the Council's Constitution.

## The General Principles

Publications are free to publish as they wish by reporting facts and expressing opinions, provided they take reasonable steps to comply with the following Principles and the Council's other Standards of Practice.

### Accuracy and clarity

1. Ensure that factual material in news reports and elsewhere is accurate and not misleading, and is distinguishable from other material such as opinion.
2. Provide a correction or other adequate remedial action if published material is significantly inaccurate or misleading.

### Fairness and balance

3. Ensure that factual material is presented with reasonable fairness and balance, and that writers' expressions of opinion are not based on significantly inaccurate factual material or omission of key facts.
4. Ensure that where material refers adversely to a person, a fair opportunity is given for subsequent publication of a reply if that is reasonably necessary to address a possible breach of General Principle 3.

### Privacy and avoidance of harm

5. Avoid intruding on a person's reasonable expectations of privacy, unless doing so is sufficiently in the public interest.
6. Avoid causing or contributing materially to substantial offence, distress or prejudice, or a substantial risk to health or safety, unless doing so is sufficiently in the public interest.

### Integrity and transparency

7. Avoid publishing material which has been gathered by deceptive or unfair means, unless doing so is sufficiently in the public interest.
8. Ensure that conflicts of interests are avoided or adequately disclosed, and that they do not influence published material.

### Explanatory Notes

“**Person**” includes a group or category of people (provided it is reasonably specific and limited in number) and a corporation or other legal entity.

“**Sufficiently in the public interest**”: The necessary level of justification in the public interest is proportionate to the gravity of the potential breach of the Principles. Relevant factors to consider may include, for example, the importance in the public interest of:

- (a) ensuring everyone has genuine freedom of expression and access to reliable information;
- (b) protecting and enhancing independent and vigorous media; public safety and health; due administration of justice and government, personal privacy, and national security;
- (c) exposing or preventing crime, dishonesty and serious misconduct or incompetence (especially by public figures).



# Statement of Privacy Principles

The Council has published the following Statement of Privacy Principles. Along with the General Statement of Principles, the Privacy Principles are applied by the Council when providing advice or adjudicating on individual complaints.

## **Privacy Principle 1: Collection of personal information**

In gathering news, journalists should seek personal information only in the public interest. In doing so, journalists should not unduly intrude on the privacy of individuals and should show respect for the dignity and sensitivity of people encountered in the course of gathering news.

In accordance with Principle 5 of the Council's Statement of Principles, news obtained by unfair or dishonest means should not be published unless there is an overriding public interest. Generally, journalists should identify themselves as such. However, journalists and photographers may at times need to operate surreptitiously to expose crime, significantly anti-social conduct, public deception or some other matter in the public interest.

Public figures necessarily sacrifice their right to privacy, where public scrutiny is in the public interest. However, public figures do not forfeit their right to privacy altogether. Intrusion into their right to privacy must be related to their public duties or activities.

## **Privacy Principle 2: Use and disclosure of personal information**

Personal information gathered by journalists and photographers should only be used for the purpose for which it was intended. A person who supplies personal information should have a reasonable expectation that it will be used for the purpose for which it was collected.

Some personal information, such as addresses or other identifying details, may enable others to intrude on the privacy and safety of individuals who are the subject of news coverage, and their families. To the extent lawful and practicable, a media organisation should only disclose sufficient personal information to identify the persons being reported in the news, so that these risks can be reasonably avoided.

## **Privacy Principle 3: Quality of personal information**

A media organisation should take reasonable steps to ensure that the personal information it collects is accurate, complete and up-to-date.

## **Privacy Principle 4: Security of personal information**

A media organisation should take reasonable steps to ensure that the personal information it holds is protected from misuse, loss, or unauthorised access.

## **Privacy Principle 5: Anonymity of sources**

All persons who provide information to media organisations are entitled to seek anonymity. The identity of confidential sources should not be revealed, and where it is lawful and practicable, a media organisation should ensure that any personal information which it maintains derived from such sources does not identify the source.

## **Privacy Principle 6: Correction, fairness and balance**

In accordance with Principle 3 of the Council's Statement of Principles, where individuals are a major focus of news reports or commentary, the publication should ensure fairness and balance in the original article. Failing that, the media organisation should provide a reasonable and swift opportunity for a balancing response in the appropriate section of the publication.

A media organisation should make amends for publishing any personal information that is found to be harmfully inaccurate, in accordance with Principle 2 of the Council's Statement of Principles. The media organisation should also take steps to correct any of its records containing that personal information, so as to avoid a harmful inaccuracy being repeated.

### **Privacy Principle 7: Sensitive personal information**

In accordance with Principle 8 of the Council's Statement of Principles, media organisations should not place any gratuitous emphasis on the categories of sensitive personal information listed in Principle 8, except where it is relevant and in the public interest to report and express opinions in these areas.

Members of the public caught up in newsworthy events should not be exploited. A victim or bereaved person has the right to refuse or terminate an interview or photographic session at any time.

Unless otherwise restricted by law or court order, open court hearings are matters of public record and can be reported by the press. Such reports need to be fair and balanced. They should not identify relatives or friends of people accused or convicted of crime unless the reference to them is necessary for the full, fair and accurate reporting of the crime or subsequent legal proceedings.