

(2007-04)

KJT 33

Meeting report	Guidance and Promotion Division
Date of meeting:	25/04/2007
Location:	Newspaper publishers association, St Andrews House, EC4A 3AY
Attendees ICO:	Phil Jones, Lee Taylor
Other organisation:	Newspaper Publishers Association Ltd - David Newell. The Newspaper Society – Santha Rasaiah (also David N is their Director) Telegraph Media Group – Guy Black.
Reason for meeting:	To discuss joint guidance for journalists on the offence at sec 55 DPA 98.
Contribution to GPD business plan:	1. Stakeholder engagement 2. Guidance programme
KPI information	1 Day
Associated file number	X0079

Issues discussed / questions raised	Action
<ul style="list-style-type: none"> • DN confirmed that the NS is committed to producing this guidance with the ICO and passing it on to members. However they see their role as supporting and commenting and do not envisage a jointly badged product. They are happy for there to be reference to their support in the introduction to the document. • PJ clarified that the role of the guidance should be to flag the issue for journalists and not to provide a comprehensive guide on the working of the Act. This will be a good practice note. • DN explained the need to have a straight forward and accessible document that will educate journalists. He queried if there should be any reference to separate guidance on the public interest in this document. PJ agreed to remove that reference and explained the difference in technical guidance and good practice notes. • There was discussion of the problems around more detailed guidance on the public interest in particular the lack of relevant case law. SA asked if the NS/NPA would be given the opportunity to comment on the guidance in so far as it is relevant to the press. PJ said that they would and agreed with them sharing it with the Periodical Publishers Association. • DN also felt that the clarification of the law in the guidance went too far and was not necessary. To try and simplify the document further it was agreed to remove 	

<p>the reference to the special purposes exemption at the start of the document and references to sections of the Act.</p> <ul style="list-style-type: none">• GB wanted the guidance to focus on the practicalities for journalists and not provide an explanation of the law. He recommended that the guidance would be better starting with an explanation that the DPA is not there to stop the legitimate activities of the press and investigative journalism but rather protect individual's privacy. He was keen to reduce the guidance to 2 sides.• PJ agreed to take out reference to sections of the Act and simplify and shorten where possible.• SA wanted to know if it was possible to include journalists' right to know certain information. She highlighted that the guidance should be careful not to indicate that bribery is acceptable if in the public interest where it may be an offence under other laws.• SA was keen that the guidance should not focus on the circumstances of where it is appropriate to investigate a story further.• SA asked that the section relating to editors should be removed as it is not relevant in guidance to journalists.• DN asked if the 2 examples of illegal activity could be made more general as they are currently too specific.• PJ welcomed the comments from the press side about how best to get the message across to journalists.	<p>LT to shorten and simplify the guidance as discussed and send to NS/NPA for comment after internal ICO comment.</p>
<p>Any other comments:</p>	<ul style="list-style-type: none">••