

Mrs Kim Noble v Jersey Evening Post

Clauses noted: 3

Mrs Kim Noble of St Clement in Jersey complained to the Press Complaints Commission that a letter headlined 'I am on the warpath over abatement forms', published in the Jersey Evening Post on Thursday 6 December, intruded into her privacy in breach of Clause 3 (Privacy) of the Code of Practice.

The complaint was upheld.

The letter about which Mrs Noble complained had been submitted by Deputy Terry Le Main, the President of the States Department's Housing Committee. He had been responding to an earlier letter from Mrs Noble in which she had attacked his policies in respect of States tenants.

In publishing Deputy Le Main's letter the newspaper made public personal and confidential details about the complainant's rental payments since 1988. The complainant claimed that the details had come from her file at the States Housing Department and had been used without her permission constituting an unjustified intrusion into her privacy in breach of Clause 3 of the Code.

The editor, in reply to the complaint, explained that he had taken the view that the letter contained relevant information about the use of public funds and had been released for publication by a competent authority. However, he made clear that he would accept a ruling from the Commission on any inadvertent breach of the Code.

Adjudication

The Commission acknowledged that this was an unusual case as it related to information that had been published by the newspaper in the form of a reader's letter. Nevertheless, Clause 3 of the Code states that 'everyone is entitled to respect for his or her private...life' and the Commission emphasised that editors must be aware of this when publishing material that has come from any source, including correspondents. In this case the details relating to the complainant's rental payments were very clearly private and personal and, while the editor had considered that the author of the letter was a competent authority, the newspaper ought not to have made the information public.

Although there was some controversy surrounding the issues that had led to the correspondence, the Commission did not consider that there was any legitimate public interest in publishing the detailed information about the complainant's rental payments. There was, therefore, a breach of the Code and the complaint was upheld.

Adjudication issued 2002