

A woman v Worksop Guardian

Clauses noted: 1, 3

A woman complained to the Press Complaints Commission that two articles headlined "Privates paraded" and "Teacher faces sack over naked pictures" published in the Worksop Guardian on 21 January 2005 were misleading in breach of Clause 1 (Accuracy) and were intrusive in breach of Clause 3 (Privacy) of the Code of Practice.

The complaint was not upheld.

The articles reported the suspension of the complainant from an army college after explicit photographs of her – apparently sent between her and her partner – were discovered by her employers. The newspaper published a photograph of the complainant in which she was topless, but it obscured the complainant's breasts.

The complainant said that the photographs concerned had been sent to her then partner, and were not intended for publication. Publishing the photograph of her was not therefore justifiable. Furthermore, the article was misleading since it led readers to believe that she had willingly broadcast the image.

The newspaper contended that the article was in the public interest and that the complainant's boyfriend had put the images into the public domain. The pictures had been published in two national newspapers a week before. In addition, by censoring the picture, the newspaper had made every effort to maintain the complainant's modesty while allowing readers to understand the nature of the controversy.

The complainant said that the action taken by the college was a direct consequence of the publication of the articles. She stated that her professional life and her private life were separate and that the publication of the photograph intruded into her privacy. The complainant rejected the notion that, since she was in a position of responsibility, the articles were in the public interest.

Adjudication

The complainant had been involved in a matter of local controversy – which had been reported in two national newspapers – and had been suspended from a well-known college in the area. In these circumstances, the Commission considered that this was a legitimate subject for the newspaper to publish an article about. Given that photographs of the complainant were at the heart of the dispute and had found their way to a limited extent into the public domain locally, the Commission also considered that it was suitable to illustrate the story with one of them.

However, the photographs were intimate and taken for private use in the context of a relationship. The public interest in publishing a story about them may not have been sufficient to justify publishing the photograph in full. The Commission was satisfied that to have done so would have embarrassed the complainant unnecessarily. The editor had made the right decision in censoring the photograph and thereby taking care to show some respect for the complainant's privacy. This action ensured that no breach of the Code had occurred.

Turning to the issue under Clause 1, the Commission did not consider that the article gave the impression that the complainant intended for the image to appear. There was no breach of this Clause.

Relevant rulings

A woman v The News, 2004

Noble v News of the World, 2004

Adjudication issued 2005