

Ms J K Rowling through Schillings solicitors v Daily Mirror

Clauses noted: 3

Ms J K Rowling complained to the Press Complaints Commission, through Schillings solicitors, that an article in the Daily Mirror of 14 July headlined "The JK Rowling Story: Day Three" intruded into her privacy in breach of Clause 3 (Privacy) of the Code.

The complaint was upheld.

The article contained a photograph of the complainant's London property, with the name of the road on which it was located. Her solicitors said that there was sufficient information to identify its exact location in breach of the Code. This was in circumstances where the complainant had previously been subject to security threats at her homes, which they outlined.

The newspaper argued that the address was in the public domain: the name of the road had already been published in another newspaper, and the electoral register and Land Registry identified the complainant as the owner. It did, however, offer not to republish the precise location of the property unless it became newsworthy.

Adjudication

The Commission recognises that high profile individuals may be exposed to security problems if their precise addresses are published. Indeed, the newspaper itself noted that the complainant had 'gained her fair share of stalkers and obsessive fans'. The Commission was satisfied that the photograph and its caption contained sufficient information to identify the exact location of the property. It did not consider that the newspaper had demonstrated that the information was in the public domain to such an extent as to justify publishing it in this way. There was therefore a breach of Clause 3 on this point.

The solicitors complained that the publication of photographs and other information about her other two houses also breached Clause 3. The newspaper had named the suburb of Edinburgh in which one of her homes was located, and had also given the name of her country house and which county it was in. In addition, they complained that the article revealed the location of security guards and CCTV cameras in the London and Edinburgh properties, and the fact that the complainant and her family spent their weekends at the house in the countryside.

In its defence, the newspaper argued that other newspapers had previously published details of the Edinburgh property and pointed out that most national newspapers had reported that the complainant had bought the country house.

Finding

The Commission did not find that the information published about the two Scottish homes breached Clause 3. Details of the Edinburgh property were confined to a photograph of it – which was devoid of any unusual features that might have assisted in identifying it – and which suburb it was in. This information was not sufficient, in the Commission's view, to identify the precise whereabouts of the home.

Similarly, the Commission was not persuaded that the details of the country house – an aerial photograph, its name, and the county in which it was situated – were specific enough to identify its location to those who were not already familiar with it. In any case, the Commission noted that it

was not in dispute that the fact that the complainant owned the house had been widely reported and was, as a result, in the public domain to a considerable extent.

Finally, the Commission did not believe that the very general reference to the security systems of two properties, and the statement that the complainant and her family spent time at weekends in their country house, were intrinsically private. Publication of these details did not therefore constitute a failure to respect the complainant's private and family life in breach of Clause 3 of the Code.

Adjudication issued 2005