

Ms Joanna Riding v The Independent

Clauses noted: 1, 3

Ms Joanna Riding complained to the Press Complaints Commission through her agents, Scott Marshall Partners, that an article published in the Independent on 8th March 2006 in the "Pandora" column intruded into her privacy in breach of Clause 3 (Privacy).

The complaint was upheld.

The article reported that the complainant had withdrawn from a theatre role because she had fallen pregnant. It said she had also pulled out from a previous role 'at the last minute' because of a pregnancy and suggested that her 'efforts to start a family are getting in the way of her career'.

The complainant said the article intruded into her privacy by announcing her pregnancy before she had even told her family. The only people she had informed were her agent and the producer of the show. A press release explaining her withdrawal referred only to 'unforeseen personal circumstances'. The complainant subsequently suffered a miscarriage.

Initially the newspaper responded to Ms Riding's agent saying that, while it regretted the distress she had suffered, its columnist had no reason to believe that the pregnancy was not public information. It offered to consider a letter for publication in response to the article, and said that the item had been removed from its website. During the Commission's investigation, the newspaper apologised privately for revealing the pregnancy, and also offered to publish an apology. The complainant rejected this and said she wanted the matter adjudicated.

Adjudication

As a matter of common sense newspapers and magazines should not reveal news of an individual's pregnancy without consent before the 12 week scan, unless the information is known to such an extent that it would be perverse not to refer to it. This is because of the possibility of complications or miscarriage – something that was sadly a feature in this case – and because it should be down to the individual when to share the news with her family and friends in the early phase of a pregnancy. Revealing the complainant's pregnancy at such a stage – before she had told her family, and when it was not obvious – was therefore a serious intrusion into her private life. The action taken and offered by the newspaper in response to the complaint was welcome but was not sufficient as a remedy to what was a significant breach of Clause 3 (Privacy) of the Code. The Commission upheld the complaint.

The complainant also complained under Clause 1 (Accuracy) of the Code. She had withdrawn from her previous role in *Woman in White* more than two months before rehearsals began, not at the 'last minute'. The latest 'withdrawal' was from a one-off 'show' and she had not 'resigned' from the role but had been released by the producer on compassionate grounds.

The Commission considered it appropriate that the newspaper correct the claim that the complainant had pulled out of a previous role 'at the last minute' since it could not be corroborated. It was also appropriate to clarify that the complainant had not 'resigned' from her current one-off show but had been allowed to withdraw on compassionate grounds. Although the offer of a correction had been made at a relatively late stage, the Commission considered the proposal to be a proportionate response to the accuracy complaint. This part of the complaint could now be remedied by publishing either a correction or this ruling under Clause 1.

Adjudication issued 31/07/2006

