

Carolyn Pople v Scarborough Evening News

Clauses noted: 3

Carolyn Pople of Scarborough complained to the Press Complaints Commission that a video clip of a police raid on her house posted on the website of the Scarborough Evening News on 05 February 2008 intruded into her privacy in breach of Clause 3 (Privacy). She also complained about still pictures published in the newspaper, which accompanied an article headlined "Drugs and cash seized in raids".

The complaint was upheld.

The story concerned police raids on residential properties. The newspaper – invited by the police to film one such raid – videoed police entering and searching the complainant's home for drugs. The footage was shown on the paper's website, and a still image (showing her son's bedroom) was published in the newspaper.

The complainant argued that showing the interior of her home in these circumstances, and without consent, was deeply intrusive. The coverage identified her precise address. Yet no charges had been brought against her – although she said she had been told by the police that "a small amount of cannabis" had been found at her house. However, she said she had no idea that the drug was there.

The newspaper said it had attended the raid at the invitation of the police to demonstrate their anti-drugs activities. The fact that an illegal drug was found at the complainant's property added a further public interest justification. The complainant's address was identified so that there would be no confusion with other houses on the street. However, the newspaper offered the complainant an opportunity to reply.

Adjudication

Showing a video and publishing a picture of the interior of the complainant's house, without her consent, was clearly highly intrusive, particularly when the coverage contained information likely to identify her address. The fact that the police had invited the newspaper on the raid explained how the footage had been obtained, but it did not absolve the editor of responsibility for ensuring that the subsequent publication of the material complied with the Code.

The relevant consideration was whether there was a sufficient public interest in the story to justify the degree of intrusion. There were two strands to the public interest defence. The first was that the footage showed an important part of local policing in operation. The second was that it allegedly exposed a specific criminal offence.

The Commission considered that, while it may have been in the public interest to illustrate the police campaign against drugs, insufficient regard had been paid to the complainant's right to privacy in this case. Showing the video of the complainant's home involved a degree of intrusion that was out of proportion to any such public interest.

Taking all this into account, the complaint was upheld under Clause 3 (Privacy) of the Code.

Adjudication issued 16/06/2008