

Mrs S Granton v Liverpool Daily Post (Welsh edition)

Clauses noted: 6

Mrs S Granton of Llanfairpwll, Anglesey, complained that her 15 year-old daughter had been interviewed and photographed by journalists from the Daily Post without her or her husband's consent in breach of Clause 6 (Children) of the Code and that material relating to her daughter's private life had been published, without justification, in the newspaper on 3 August 2002 in an article headlined "Matthew was my boyfriend. We were both into Marilyn Manson", also in breach of Clause 6 (Children) of the Code.

The complaint was upheld.

The article was based on an interview with the complainant's daughter and reported her reaction to the fact that her ex-boyfriend had been found guilty of murdering an elderly woman. Details of her relationship with the boy were included and the piece was illustrated with a photograph of the girl. The complainant said that when reporters approached her after interviewing her daughter - an interview to which she had not consented - she specifically told them not to approach her daughter again. Despite this, she said, the reporters did speak to her daughter again. She added that the article was inaccurate in stating that her daughter had been the murderer's girlfriend at the time of his arrest.

The newspaper said that the girl had consented to the interview and the photograph, and contended that the public interest was served by speaking to her without the permission of her parents as her comments shed new light on the character of the murderer. With regard to the claim of inaccuracy the newspaper stood by the comment given by the girl that "I was his girlfriend for three months - on and off - last year".

Adjudication

Under the terms of the Code - which makes clear that interviews involving the welfare of children under the age of 16 must take place in the presence of or with the consent of parents or guardians - it was irrelevant whether or not the girl herself had consented to the interview. She was under the age of 16 and the subject matter clearly concerned her welfare. The only matter for the Commission to consider was whether or not the public interest was so exceptional as to over-ride the strict terms of the Code. It concluded that it was not. The Commission could not understand why the wishes of the girl's parents - who were clearly, under the terms of the Code, responsible for giving consent for such an interview - had been ignored. The fact that the murderer was interested in the music of Marilyn Manson and did strange paintings did not justify breaching the Code. Such a regrettable breach should, in the Commission's view, have been resolved at a very early stage.

The Commission did not consider that any alleged inaccuracy regarding whether the complainant's daughter was going out with the teenager at the time of his arrest or several months before was so significant in the context of the article read as a whole as to raise a breach of Clause 1 (Accuracy) of the Code.

Adjudication issued 2002