

Ms Sallie Ryle, Head of Media Relations North for Granada Media v News of the World

Clauses noted: 4

Ms Sallie Ryle, Head of Media Relations North for Granada Media, complained that journalists from the News of the World took video footage of individuals at a private Christmas party in breach of Clause 4 (Harassment) of the Code of Practice.

The complaint was upheld.

The complainant said that journalists from the newspaper had been found at the party, which was being thrown for employees of the television programme *Emmerdale* at a hotel, taking undercover video footage of the guests as they enjoyed their evening. The material was confiscated and submitted to the Commission to illustrate that it had been taken in places where people would have a reasonable expectation of privacy. The complainant also submitted a letter from the hotel which confirmed that YTV had booked private rooms that were not open to the public.

The newspaper made two key points in its defence. Firstly, it maintained that the journalists had walked, unchallenged, into the party which was held in a hotel where, along with other members of the public, they were perfectly entitled to be. The area was not therefore private. Secondly, the paper said that it had been told that there had been 'wild behaviour' at previous parties, which had been a 'real riot', and maintained that it was in the public interest to explore whether this would be the case. Previous members of the cast had spoken publicly about their drug habits and the paper had been told that they were likely to be present at the party. Furthermore, the previous year there had been allegations of under-age drinking. The investigation was conducted in a low-key manner and the journalists left when their presence was detected.

The complainant replied that it was not a criminal offence for a minor to have a drink at a private party and added that all younger members of the cast are invited to such occasions with parents or guardians and that there is no 'pay bar'. She also said that neither of the two people mentioned by the newspaper in connection with drug abuse had been invited to the party as they were no longer cast members.

Adjudication

Regarding whether the party was private or not, the Commission was persuaded by the complainant's evidence of video material and a letter from the hotel that the place was one where there was a reasonable expectation of privacy. In any case, if the party was not private, as the newspaper maintained, it would not have made sense for the journalists to have used concealed cameras in order to obtain the material. Such a breach of the Code could only be excusable in the public interest and the Commission was not persuaded by the newspaper's justification.

There was no evidence that the newspaper might have been able to expose any crime or serious misdemeanour by secretly videoing the partygoers. The Commission will always protect a newspaper's right to investigate matters of genuine public interest but in this case the public interest defence did not justify the photographing of individuals in private places. To have rejected the complaint would have given newspapers carte blanche to intrude into any private gathering where high profile public figures might be present. Clearly such a position would provide an unacceptable manner of circumventing the privacy provisions of the Code, which apply to everyone, whether famous or not.

Adjudication issued 2001