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Press Complaints Commission

From the Director

Ian Locks, Esq.,
Chief Executive,
PPA,
Queens House,
28 Kingsway,
London,
WC2B 6JR

4th November 2003

Chairman
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Dr. Arthur Hearnden
Vivien Hepworth
Peter Hill
Paul Horrocks
Professor Robert Pinker
David Pollington
Dianne Thompson
The Right Rev. John Waine

Director
Guy Black

Dear Ian,

Thank you very much for your letter of 28th October, and for sending me copies of your correspondence with David Cameron, MP.

The issue of the photographing of children is certainly something which – as you rightly said to Mr Cameron – falls within the ambit of the Code. Clause 6 states that journalists must not photograph children under the age of 16 in a way that might damage their welfare in the absence of, or without the consent of a parent or adult who is responsible for them. Similarly, children should not be photographed at school without the permission of the school authorities.

I imagine there are circumstances in which the parents or guardians of the children photographed in *Loaded* could well argue that their inclusion in the particular article damaged their welfare. I am also certain that, should they do so, the Commission would – depending on the circumstances in which the picture was taken - be likely to find a breach of the Code of Practice.

However, the difficulty is that we do not know the circumstances in which the picture was taken. It may be a library photo for which the parents were paid, and which has long been in the public domain. It may also, as you note, have been taken abroad. That is why we would need a complaint directly from the parents in order to be able to investigate. To date, we have received no such complaint. I will let you know if we do.

There are, of course, further issues relating to the taste, decency and tone of the whole article. This is not a matter, as you note, for the PCC, but for the publisher and the editor.

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The issue of the photographing of children is one the Commission, as you know, takes very seriously. The Code contains strict rules, with the only possible exception that of "exceptional public interest", that have been buttressed by some strong critical adjudications, details of which can readily be accessed on our website. Mr Cameron's constituent is quite right to point up these issues, and I hope she will be assured that it is an area in which we will remain extremely vigilant.

I hope this is helpful. Please do let me know if you require any further information.

With kind regards.

Yours ever,


Guy Black