

PCC issues privacy ruling about accident photography; upholds complaint on court reporting

The Press Complaints Commission today publishes two adjudications.

Pictures of accidents

The first is a key ruling on the issue of photographs of accidents that take place in public. It follows a complaint from a man whose elderly mother-in-law had been injured in a car crash, and was photographed receiving treatment. The Wiltshire Gazette & Herald published an image online, shortly after the accident, when family members may have been in a state of shock. This image showed the complainant's facial features as she received emergency treatment. On the next day it published a different image, in which her features were entirely obscured.

In its ruling, the Commission said that there was "a clear need for newspapers to exercise caution when publishing images that relate to a person's health and medical treatment, even if they are taken in public places". It accepted that "large-scale events such as terrorist attacks and natural disasters involve a degree of public interest so great that it may be proportionate and appropriate to show images of their aftermath without the consent of those involved". However, there was insufficient public interest in a more routine incident such as a car crash to override the rights to privacy of the victim by publishing a picture of her face and showing her receiving treatment. The online publication of the image, therefore, raised a breach of Clause 3 (Privacy) and 5 (Intrusion into grief or shock) of the Code.

The Commission ruled that the newspaper's response – it had apologised privately, promptly withdrawn the offending photograph from the website, published the family's criticisms of the paper and published an apology – was sufficient to remedy the breach. It did not consider that the article published in the paper edition, in which the victim was not seen receiving treatment, raised a breach of the Code.

For details of the adjudication, please [click here](#)

Court reporting

In a separate ruling, the Commission has criticised the Newham Recorder for failing to distinguish between conjecture and fact in a court report. The newspaper reported that the complainant's son – who was subsequently murdered – had behaved aggressively towards his landlord's wife. The complainant denied that this had happened and made clear that this version of events had not been accepted by the court. The Commission considered that it was regrettable that a dispute about such a small part of the article could not have been resolved at an early stage in a proportionate way. In its view, the newspaper should have retained the qualifying word "allegedly" – which appeared in the original copy supplied by the agency – in order to distinguish the claim from fact. Its failure to do so raised a breach of the Code. The complaint was, therefore, upheld.

For details of the adjudication, please [click here](#)

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