

PCC upholds complaint against regional paper about photograph of child

The Press Complaints Commission (PCC) has upheld a complaint against the South Wales Guardian under Clause 6 (Children) of the Editors' Code of Practice.

The article was an interview with the mother of a woman who had been convicted of murder in 2008. In the course of the interview she had spoken about her daughter's appeal and the adoption of her daughter's child as a result of the conviction. The article featured a photograph of the child taken when she was thirteen months old. The PCC received a complaint from the child's adopted parents (via the local Council), who argued that they had not consented to publication of the photograph, and were concerned that the child - who was now three years old - had been identified as a result.

The newspaper said that the photograph had been authorised by the child's biological mother and grandmother. It argued that the information about the child had not been unduly intrusive, and that the consequences of the crime committed by the child's mother - as well as the actions of social services with regard to the adoption - could legitimately be the subject of public scrutiny in this way. The Commission ruled that there had been a breach of Clause 6 (ii) of the Editors' Code, which states that: "a child under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents". It judged that the photograph, in the context of an article about the conviction of the child's mother for murder and the impact of the adoption, clearly involved the child's welfare. The consent of the custodial parents had not been obtained before publication and there was not an exceptional public interest to justify this.

Stephen Abell, Director of the PCC commented: "The Editors' Code correctly goes to exceptional lengths to safeguard children and provides them with strong protection from intrusive attention. A breach of the Code such as this would require an exceptional public interest to override the normally paramount interests of the child. In this case, the Commission did not consider that there were exceptional public interest grounds specifically to justify the publication of the picture (even though it did recognise there was a general public interest in the story). The complaint was upheld as a result".

ENDS

Notes to editors

1. The PCC is an independent body which administers the system of self-regulation for the press. It does so primarily by dealing with complaints, framed within the terms of the Editors' Code of Practice, about the editorial content of newspapers and magazines (and their websites, including editorial audio-visual material) and the conduct of journalists.
2. To read the adjudication, which has been published on page 2 of this week's edition of the newspaper and online please [click here](#).
3. For more information, please contact Jonathan Collett on 020 7438 1246 or 07740 896805.

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