

### **PCC upholds complaint against regional paper about hospital report**

The Press Complaints Commission has upheld a complaint from an NHS Trust against the Essex Chronicle under Clause 8 (Hospitals) of the Editors' Code of Practice.

The article concerned the condition of a hospital patient who had suffered serious head injuries following an assault, and was based on an interview with the patient and his parents. Although neither the patient nor his parents had complained to the PCC, the NHS Trust said that the reporter - who had conducted the interview in the hospital's stroke unit - had not identified himself to a responsible executive before entering a non-public area of a hospital, in breach of Clause 8. The newspaper said that it had been invited by the patient's parents to conduct the interview in the hospital, and that the reporter had made clear both his status as a reporter, and the newspaper for which he worked, to hospital staff.

The Commission recognised that there was a "significant dispute" about what had been said by the journalist, and to whom, at the hospital, in terms of his status as a reporter. The Commission was not in a position to resolve the conflict, but was still able to conclude that there had been a breach of the Code. It said that the reporter "could have acted to ensure that there was no uncertainty about his identification, and that the necessary permission had been obtained from a responsible executive before entering the unit where the patient was being treated". As the conversation in which the journalist had allegedly identified himself had been with staff in the stroke unit, he had already entered a "non-public" area of the hospital. Under the terms of Clause 8, "appropriate permission should have been sought well before entering this area".

Stephen Abell, Director of the PCC, said: "The Commission now is asked to consider relatively few complaints under Clause 8 of the Code, which demonstrates that journalists' conduct in regard to people in hospital has improved in recent years. The Commission's case law certainly demonstrates the strict standards the PCC expects of journalists and photographers in this area. The protection of an individual's privacy - particularly those who are most vulnerable - is paramount in the Editors' Code, and Clause 8 is clear in the need for identity and consent to be properly established at an early stage".

**ENDS**

#### **Notes to editors**

1. To read the adjudication which has been published in this week's edition of the newspaper, please [click here](#).
2. The Commission has produced a guidance note for members of the public about Clause 8 (Hospitals). To read this, [click here](#).
3. For more information please contact Catherine Speller on 020 7831 0022 or [catherine.speller@pcc.org.uk](mailto:catherine.speller@pcc.org.uk)

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