

November 26, 2009

THE STAGE

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Chris Tarrant and Natasha Kaplinsky are among those celebrities that have used the Press Complaints Commission service in recent times

## Private lives in public places

Those in the entertainment industry are increasingly seeking the assistance of the Press Complaints Commission to pursue privacy-related complaints against the media, rather than the expensive option of a lawyer, writes Catherine Spellar, communications officer for the PCC

**F**or those who work in the public eye, media attention can be both a blessing and a curse. Media coverage of celebrities and high-profile individuals can sell shows and boost ratings, but it can come at a cost.

While it is often assumed that celebrities will automatically turn to a lawyer to pursue privacy-related complaints against a newspaper or magazine, they don't need to. As an independent, self-regulatory body, the Press Complaints Commission offers a free and effective service to anyone who wishes to complain about editorial content (including photographs) published in the press.

At the heart of the PCC's work lies the Code of Practice, which sets out the rules that newspapers and magazines in the UK have agreed to abide by. It covers both what is reported (its accuracy, intrusiveness and so on) and the way in which journalists obtain their material (prohibiting harassment and unjustified subterfuge, for instance).

Although the vast majority of complaints come from ordinary members of the public, those in the know in the entertainment industry are increasingly turning to the PCC

to deal with problems about both published material and news-gathering techniques.

In one high-profile case, the PCC upheld a complaint from an actress who complained that an article in the *Independent's* diary column intruded into her privacy. It had claimed that she had withdrawn from a theatre role because she had fallen pregnant, suggesting that her "efforts to start a family are getting in the way of her career". Through her agent, she successfully argued that Clause 3 of the Code (Privacy) had been breached by announcing her pregnancy before she had told her family. At the time of publication, the only people she had informed were her agent and the producer of the show. Following an investigation by the PCC, the complaint was upheld and the newspaper forced to publish a critical adjudication. This sent out a clear message to the industry that it had got it wrong. The adjudication set out an important point of principle – that due to the possibility of complications or miscarriage, "newspapers and magazines should not reveal news of an individual's pregnancy without consent, before the 12-week scan, unless the information is known

to such an extent that it would be perverse not to refer to it".

Most complaints, however, do not require a formal adjudication and are resolved swiftly and effectively through mediation. The PCC frequently negotiates the publication of corrections and apologies, follow-up pieces or private letters from the editor, and the amendment of publications' websites or internal files.

In contrast to the courts, the PCC's work takes place away from the glare of further publicity – an obvious advantage for people who do not want their privacy to be invaded yet further. But the PCC's work is not simply constrained to dealing with formal complaints under the code.

Increasingly, it undertakes a significant amount of work behind the scenes which can minimise the need for a formal complaint to be made in the first place – and which can be of particular benefit to celebrities.

For example, people in the public eye can sometimes experience unwanted attention from journalists or photographers. Following an approach to the PCC, we can assess whether or not there is a case of potential harassment. If this is judged to be the case (and there is no

overriding public interest defence), we can issue a private advisory notice (known as a 'desist message') to newspaper editors and lawyers, as well as the major broadcasters. The outcome is generally that the harassment stops or that the photographs in question are not published.

The newsreader Natasha Kaplinsky and the TV presenter Chris Tarrant (among many other celebrities) have used this service in recent times, and have publicly recorded their thanks for the PCC's assistance.

The PCC can also give pre-publication advice to anyone concerned about a story that is about to break. Although it does not have powers of prior restraint, the PCC can nonetheless discuss legitimate concerns with both parties, which may impact on the way the story is published, if indeed it is published at all. As with all services offered by the PCC, this is confidential and free to use, and requires no legal representation.

Of course, there will always be a place for the courts and some matters will be more suitably dealt with there. But where privacy is concerned, the PCC offers a free, non-confrontational and swift-moving alternative.

[www.pcc.org.uk](http://www.pcc.org.uk)