

PCC issues critical adjudication against Scottish Daily Mail about harassment

The Press Complaints Commission has today upheld a complaint against the Scottish Daily Mail under Clause 4 (Harassment) of the Editors' Code of Practice on the basis that it persisted in approaching a man who had repeatedly made clear to the newspaper that he did not wish to comment on a story about his son.

The complainant's son was a Scottish university student who had attended the demonstrations about tuition fees in London. The newspaper published two articles about his son's involvement in the protests, including a photograph of him allegedly attempting to take a police officer's hat. Reporters and photographers representing the newspaper had attended the family home in Scotland four times within 24 hours seeking a comment. On each occasion, the family made clear they did not wish to speak to journalists, and asked them to leave the property. There was one additional approach to the complainant near his home, which led to him contacting the police.

The newspaper argued that its enquiries could be justified in the public interest. The complainant's son had been photographed allegedly assaulting a police officer and had as a result been questioned by police and then bailed: it had a duty, therefore, to seek a response to the allegations. The journalists had returned to the property because they had received new information that the complainant's son had been seen entering the home; when asked to leave the property, they did.

The Commission accepted that there was a "limited public interest" in seeking the response of the complainant's son to the allegations against him. However, given that both the complainant and his family had been clear about not wanting to comment publicly about their situation, it judged that the journalists' persistent questioning of someone "not at the centre of the story, and against whom no allegations of impropriety had been made" constituted a breach of the Code.

Stephen Abell, Director of the PCC, said: "The harassment clause makes very clear that persistent approaches from journalists once they have been asked to desist are not permitted unless there is a strong overriding public interest, which was not a feature of this case. The Editors' Code covers newsgathering techniques as well as published editorial content; this critical ruling is an important reminder of the sort of behaviour the Commission judges unacceptable under the Code."

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. Clause 4 (Harassment) of the Code reads:
 - Journalists must not engage in intimidation, harassment or persistent pursuit.
 - ii) They must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on their property when asked to leave and must not follow them. If requested, they must identify themselves and whom they represent.
 - iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other sources.
3. To read the adjudication, which has been published on page 6 of today's newspaper please click [here](#).

4. The PCC undertakes a considerable amount of work helping individuals to minimise unjustified media attention, particularly after a major or otherwise traumatic incident. To find out more about this service, and some examples of how it works in practice, please [click here](#).
5. For more information, please contact Jonathan Collett on 020 7438 1246 or 07740 896805.

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