

THE DAILY MAIL

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25 June 2012

Giles Crown
Lewis Silkin LLP
5 Chancery Lane
Clifford's Inn
London
EC4A 1BL

By email and post

Dear Mr Crown

It has been brought to my attention that a photograph that we now know to be Helena Bowles was published on Mail Online (as well as in the Daily Telegraph and elsewhere).

This photograph was not published in the Daily Mail and was removed from our website as soon as we became aware that its subject was Helena. I would be grateful if you could convey this to the Bowles family along with our sincere regrets if its publication has exacerbated the distress of the family at such a difficult time.

It may be helpful if I also explained the circumstances which led to the publication of the photograph of Helena. The photograph was in fact taken by EPA, one of the world's biggest press picture agencies on 15 March 2012. The caption accompanying the photograph read, 'Relatives of victims leave the Hotel des Vignes.' This was the only information provided in relation to the subject of the photograph. There were 28 victims of the coach crash.

Mail Online did not identify Helena in its caption to the photograph because it was unaware who the subject was. We were also unaware of the measures you describe to prevent photographs of the relatives being taken in front of the hotel. EPA inform us that the family remained for a considerable period of time in view of the photographers and TV crews who were standing in a public place on the other side of the road from the hotel. We would certainly expect a reputable agency like EPA to go through the appropriate considerations before submitting photographs for publication by other media. For our part, we had no reason to believe that the photograph had not been taken in a public place or that the relatives did not wish to be observed and photographed.

It was not until your witness statement to the Leveson Inquiry was brought to our attention that we were made aware that the girl in the photograph was Helena. The photograph was published on Mail Online before we received the letter from Lewis Silkin, written on behalf of Edward and Ann Bowles, dated 17 March. The letter makes no reference to the photograph being published on Mail Online. Nevertheless the website was asked to check whether it was publishing photographs of Helena or the Bowles family in a distressed state. The check was undertaken but no such photograph located. If the Lewis Silkin letter had alerted us that the photograph on Mail Online was of Helena, it would have been immediately removed. The letter of 17 March did complain about photographs taken from Mr Bowles' Facebook site and these were taken down from Mail Online.

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We note that a copy of the Lewis Silkin letter dated 17 March was sent to the PCC. We have copied this letter to the PCC and the Leveson Inquiry.

Once again I would like to apologise for any distress that the publication of this picture has caused and offer our condolences to the family.

Alex Bannister
Group Managing Editor

cc Charlotte, Dewar – PCC