

The Press Complaints Commission (PCC)

Catherine Speller PCC's Communications Officer.



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About the PCC

The Press Complaints Commission (PCC) is an independent body which exists to deal with complaints about articles published in UK newspapers and magazines. We uphold a Code of Practice, which is the starting point for any complaint we receive. The four main areas covered by the Code are: accuracy (the area about which we receive the vast majority of complaints); privacy; newsgathering techniques; and the protection of vulnerable people. The Code is broken down into 16 Clauses and is available on our website at www.pcc.org.uk

Primarily, we act as a dispute resolution service. When someone comes to us with a complaint that raises a possible breach of the Code, we will try to find a suitable remedy that is to the complainant's satisfaction. For example, we might negotiate a correction, apology or clarification; we could arrange for an online article to be taken down; or we could organise a private letter of apology from an editor. Cases that cannot be resolved (or which raise an important point of principle) are adjudicated formally. Where cases are upheld by the Commission, the newspaper or magazine will be required to publish a PCC critical ruling, which acts as a powerful 'name and shame' sanction.

How this relates to Funeral Directors

We know that media attention at times when people are grieving can be difficult, and we often get complaints and telephone calls from people who are concerned about the media coverage of a

particular death. Over the years, we have worked hard to ensure that Coroners, police family liaison officers and solicitors know about us so that they can advise bereaved people accordingly about our services. But a recent case about the reporting of a funeral (see below) illustrates the importance of ensuring that Funeral Directors are also aware of our services, should problems with journalists or photographers arise.

General principles relating to reporting of sensitive situations

In terms of the Code of Practice, the most relevant Clause is Clause 5 (Intrusion into grief or shock). This states:

i) In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. This should not restrict the right to report legal proceedings, such as inquests.

ii) When reporting suicide, care should be taken to avoid excessive detail about the method used.*

NB: There can be a public interest exception under part ii) of this Clause.

Deaths are, of course, a matter of public record and newspapers do have a right to report them. All inquests must be heard in public and journalists are at liberty to be present in court (with the exception of a small number which may be held in private for national security reasons). But Clause 5 requires inquiries to be made with sympathy and discretion. The use of gratuitously gory information in pictures or stories at a time of grief or unnecessarily ridiculing the manner of death is likely to constitute a lack of sensitivity on the part of the publication.

Equally, journalists should not break the news: the PCC sees it as no part of the journalist's role to inform close relatives or friends of a death. The timing of an article is also important when considering how sensitively a piece has been handled, and the PCC has in the past upheld a complaint of insensitive publication more than a year after the death.

Case study

The following recent case study is included to provide readers with a relevant example of a case relating to funerals. Although such cases are fairly rare, it is nonetheless an important ruling as

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it sets out the standards the PCC expects in this area. As set out above, the newspaper was required to publish this critical text, in full, and with due prominence.

A woman complained to the Press Complaints Commission that a local newspaper had intruded into her family's grief in the way it obtained and published information about the death of her son. The complaint, under Clause 5 (Intrusion into grief or shock) of the Code of Practice, related to the behaviour of a photographer and to an article headlined "Farewell to our darling son", published in February 2009.

The complaint was upheld.

The complainant's son had sadly taken his own life. On the day of the funeral, a photographer seen hiding in bushes outside the crematorium was asked to leave by the undertaker, on the instructions of the family. The published article was accompanied by photographs of the mourners, taken by the photographer, outside the crematorium. It also included details taken from the order of service and from messages left on flowers outside the crematorium, which the complainant found distressing.

The newspaper said that cremations were public events, and that the photographer had behaved in a sensitive manner. Out of respect, he had decided to remain between the main gate and the chapel, and was shielded from mourners by a hedge. He was not 'hiding' in the bushes. Once the undertaker signalled that he should stop taking pictures, the photographer had immediately done so. The journalist had not attended the funeral itself, but had picked up an order of service at its conclusion to take down details. She had waited until mourners had left to note the messages on flowers.

The newspaper was not aware of the family's wish that no pictures should be published. Following the complaint, it was willing to publish an apology to the family for causing them distress.

Adjudication

Newspapers have an important role to play in the reporting of tragic events, which the Commission did not wish unduly to restrict. For instance, some funerals are public celebrations of a person's life, at which the presence of reporters is welcome. However, given the age of the complainant's son – and the manner in which he died – the need for restraint and sensitivity

on the part of the press was great, as this would inevitably have been a time of intense grief and shock for the boy's family.

In this context, it was incumbent on the newspaper to demonstrate that it had paid appropriate regard to the feelings of the family. It was not able to do so. In the Commission's view, the newspaper should have taken steps to establish the parents' wishes before sending a photographer and a journalist to the funeral. Once the photographer had been warned away from the funeral, it should have considered the likelihood that the family would object to the publication of his photographs.

The newspaper's behaviour was not appropriate in the context of this untimely and tragic death. Parents grieving for the loss of their child should not have to be concerned about the behaviour of journalists, or the likelihood that details of the funeral would be covered without their consent.

Other PCC services

The PCC also has a really important role to play in preventing media harassment. Where there is no public interest for doing so, journalists should not follow or persistently question people once they have been asked to desist. The PCC can help with unwanted approaches by journalists by passing on what we refer to as "desist messages" to relevant editors and broadcasters, and offering advice to the media on how to comply with the Code's requirements. This helps to stop any harassment and disperse 'media scrums'. This service can be accessed by calling 07659 152656 on a 24 hour emergency basis.

Further information and contact details

Our services are totally free and we are always happy to give confidential, informal advice over the telephone to anyone who is unsure about any aspect of press reporting or behaviour.

Please feel free to contact Catherine Speller, the PCC's Communications Officer, if you need further information.

She can be reached on 020 7831 0022 or catherine.speller@pcc.org.uk. Our website - www.pcc.org.uk – includes guidance on how to deal with media attention following a death, how to access our anti-harassment services; as well as information about the reporting of court and inquest hearings. We have a range of literature which can be supplied if necessary.

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