

## Lottery Guidance Note – 2004, updating note of 1995

### **Lottery Winners**

#### **Background**

The national lottery was established in October 1994. Early in 1995, following concern about the identification in the press of the winner of a major prize, the Commission issued a guidance note outlining the issues under the Code that newspapers and magazines should bear in mind when reporting on lottery wins.

This note updates that guidance in light of the subsequent years' experience.

#### **Winners who opt for anonymity**

Under the terms of the licence granted to the lottery organisers Camelot, winners are entitled to anonymity. If winners do opt for anonymity, the Commission would generally expect the press to respect this wish. To do otherwise may raise issues under the terms of Clause 3 of the Code, which relates to privacy. There may of course be exceptions to this if newspapers and magazines can demonstrate that it is in the public interest to identify an individual against their wishes, although the Commission has noted before that the size of the win alone would not be a sufficient reason for such identification. The Commission notes that in the 9 years since publication of the first guidance note it has not had to deal with any formal complaints about such identification: a welcome sign that editors have respected both the wishes of individuals and the Commission's guidance. The press should also not seek to obtain information about winners who have requested anonymity from their family, friends or colleagues through any form of harassment contrary to Clause 4 of the Code.

#### **Winners who opt for publicity**

Other lottery winners choose to accept publicity. Having done so, they are still entitled to the protection of the Code of Practice: to expect that journalists will take care not to publish inaccurate material about them, will have respect for their private lives under the terms of Clause 3, and not harass them or their acquaintances in breach of Clause 4 of the Code. However, in assessing whether published material is intrusive under the terms of the Code, the Commission always considers the extent to which similar material has been placed into the public domain with the consent of the person concerned.

#### **Vulnerable winners**

By its nature the lottery will produce winners who are also vulnerable members of society: the very young, old, those who are unwell either physically or mentally, or those who have recently been bereaved. The Commission underlines that such people remain entitled to strong protection under the terms of the Code, regardless of whether or not they have won a large amount of money.

**Further issues**

The Commission also wishes to reiterate two specific pieces of guidance from the previous note:

- The press should not offer rewards to people for the identity of anonymous lottery winners – or for information about their private lives – unless it is clearly in the public interest.
- Journalists should not seek to obtain information about winners from Camelot in breach of any duty of confidentiality which it owes to winners under the terms of its licence.

Finally, the Commission notes that Camelot offers a service to winners to help them in their dealings with the media. It provides further details of how the Code of Practice is particularly relevant to their customers, and will help them approach the PCC to pursue any complaint.