

Mrs Hazel Cattermole v Bristol Evening Post

Clauses noted: 5

Mrs Hazel Cattermole of Weston-Super-Mare complained to the Press Complaints Commission that the Bristol Evening Post had intruded into her family's grief in the way it obtained and published information about the death of her son Mark. The complaint, under Clause 5 (Intrusion into grief or shock) of the Editors' Code of Practice, related to the behaviour of a photographer and to an article headlined "Farewell to our darling son", published on 26 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 left. 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.

Adjudication issued 13/11/2009