

Mrs T A Armstrong v Scarborough Evening News

Clauses noted: 6

Mrs T A Armstrong of Scarborough complained to the Press Complaints Commission that the Scarborough Evening News had approached her daughter for information without consent in breach of Clause 6 (Children) of the Code of Practice.

Following the remedial action taken by the newspaper, no further action was required.

The complainant said that the newspaper was in possession of her 14-year-old daughter's mobile telephone number because of a road safety campaign she was running. A reporter had subsequently attempted to contact the child in school hours – by telephone and text message – for information about an incident at the school involving two other pupils. This was done without the permission of the school or the complainant.

The newspaper said that, after the Local Education Authority had confirmed that an incident at the school had taken place, a trainee reporter had independently and naively contacted the complainant's daughter – who had previously been photographed and interviewed in the newspaper without any problems – to find out further information. It accepted that the Code had been breached, and said that it had apologised verbally on two occasions. In addition, the reporter had sent the complainant's daughter a private email of apology at the request of the complainant's husband. It was willing, however, to send further private letters of apology on headed paper to the complainant and her daughter.

The complainant wanted an assurance that the newspaper's staff would receive training in the PCC Code and for the newspaper to publish a summary of her complaint and its resolution. The newspaper said that the complaint centred on a "stupid, one-off, openly admitted error of judgement" and that the complainant's requests were inappropriate. It reiterated the terms of its previous offer and stated that, if necessary, it would formally instruct the reporter about the Code.

Adjudication

It was clear to the Commission that the reporter had sought to approach the complainant's daughter, who was under 16, for information about the welfare of other children while she was at school and without permission from her parents or the school itself. This was a clear breach of Clause 6.

Nonetheless, taking account of all the circumstances – which included the fact that the reporter had not approached a pupil randomly but was already acquainted with the girl in question – the Commission considered that the newspaper's prompt admission and apology that the Code had been breached was a proportionate response, and that no further action against the newspaper would be necessary.

Relevant rulings

Bourne v Bedfordshire on Sunday, 1998

Black v Bedfordshire on Sunday, 1998

Adjudication issued 2006