

A man v Chat

Clauses noted: 1, 5

A man from Fife complained to the Press Complaints Commission through solicitors that an article headlined "Beaten, raped and brutalised", published in Chat magazine on 13 September 2007, was inaccurate and misleading in breach of Clause 1 (Accuracy) and intruded into his family's grief in breach of Clause 5 (Intrusion into grief or shock).

The complaint was upheld.

The article was a woman's account of life with an abusive former partner, which referred to his conviction for the murder of the complainant's step-daughter. In addition to what the complainant said were unnecessarily graphic details, the complainant and his family were distressed by two images: a headshot of the victim and an uncaptioned staged photograph of a female body wrapped in bin liners, which was how the actual body was discovered. The piece had caused much distress on what was the first anniversary of the murder.

The magazine said that the details in the story had previously been referred to in court and were in the public domain. The article was about another of the man's victims, but the complainant's step-daughter's case was relevant as it showed the degree of violence the man was prepared to use. The magazine admitted that the photograph of the body should have been captioned to make clear that it was not an image of the victim. It sincerely regretted the distress the article had caused to the complainant's family.

Adjudication

The Commission considered that the magazine's failure to make clear to readers that the photograph was staged constituted a breach of Clause 1 (Accuracy). But of particular concern to the Commission was the fact that, in using the misleading picture near to the first anniversary of the death, the magazine had also shown a total disregard for the family of the dead woman. While the Commission normally considers the rules on grief and shock to have greatest relevance in the immediate aftermath of an incident, the magazine's cavalier approach in this instance constituted a clear breach of both the letter and spirit of Clause 5 of the Code. This was notwithstanding the fact that some of the information was legitimately in the public domain following a court case, and which the magazine was therefore entitled to publish. The complaints under both Clauses 1 and 5 were upheld.

Adjudication issued 31/10/2007