

PCC upholds complaints against two local papers over photograph of children

The Press Complaints Commission has upheld complaints against the Nottingham Evening Post and the Leicester Mercury under Clause 6 (Children) of the Editors' Code of Practice.

The complainant was the mother of a primary school child who had been on a school trip when the bus she was travelling on crashed into a railway bridge. A photograph published by the two newspapers showed the complainant's daughter and other children being comforted by a policeman at the scene of the accident. The complainant said that the appearance of the image, which was taken and published without her consent, had caused her daughter further upset.

Both newspapers said that they had considered whether or not to publish the photograph very carefully, but that ultimately, they believed it to be justified in the public interest. Additionally, the Leicester Mercury argued that publication would not have had an impact on the welfare of the children involved, while the Nottingham Evening Post argued that the lack of any serious injuries or fatalities had been an important factor in its decision to go ahead and publish.

In its ruling, the Commission made clear that newspapers "are entitled to publish stories and pictures of serious road accidents, which take place in public and often have wide-reaching consequences", and that it "did not wish to interfere unnecessarily" with the newspapers' right to report the story. However, there was no doubt that the close-up photograph of the complainant's daughter related to her welfare. It was also not disputed that the image had been taken and published without parental consent. As a result, there was a breach of the Code and, while "there may be occasions where the scale and gravity of the circumstances can mean that [such material] can be published in the public interest without consent", on this occasion, the Commission judged the newspapers to be "just the wrong side of the line".

PCC Director Stephen Abell commented: "The Code of Practice makes clear that a child under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents. The Commission's ruling sends an important reminder to editors of the exceptionally high standards which the Commission expects when reporting stories related to children".

The full texts of the two adjudications, which have been published in the newspapers today, can be found [here](#) and [here](#).

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