

### **PCC rules on first complaint about republication of Tweets by mainstream media**

The Press Complaints Commission has made its first ruling about the republication of information originally posted on Twitter. In response to complaints about articles published in the Daily Mail and the Independent on Sunday, the Commission concluded that there had been no breach of Clause 3 (Privacy) of the Editors' Code of Practice.

The complainant was a civil servant working at the Department for Transport. The articles reported on a number of messages she had posted on her Twitter account about various aspects of, and her feelings towards, her job. In the complainant's view, this information was private: she had a "reasonable expectation" that her messages would be published only to her 700 or so followers; she had included a clear disclaimer on her Twitter feed that the views expressed there were personal, and were not representative of her employer.

In their defence, both newspapers argued that the complainant's Twitter account was not private. The posts could be read by anyone and not just those individuals who actively chose to follow her. The complainant had taken no steps to restrict access to her messages (although she did so after the Daily Mail article appeared) and was not publishing material anonymously. In addition, the newspapers argued that it was reasonable to highlight the messages in light of the requirements of the civil service code on impartiality. It was also reasonable for newspapers to give a view on whether it was acceptable for the complainant to have talked about such things as being hungover at work and to consider what this said about her judgement.

In reaching its decision on the case, the Commission judged that the publicly accessible nature of the information was a "key consideration". It was quite clear that the potential audience for the information was actually much larger than the 700 people who followed the complainant directly, not least because any message could easily be retweeted to a wider audience. It also took into account the type of information that had been published by the newspapers, which in this case related directly to the complainant's professional life as a public servant. In all the circumstances, the Commission concluded that the newspapers' actions did not constitute "an unjustifiable intrusion" into the complainant's privacy.

PCC Director Stephen Abell commented: "This is an important ruling by the Commission. As more and more people make use of such social media to publish material related to their lives, the Commission is increasingly being asked to make judgements about what can legitimately be described as private information. In this case, the Commission decided that republication of material by national newspapers, even though it was originally intended for a smaller audience, did not constitute a privacy intrusion."

Additional complaints against both newspapers about alleged breaches of Clause 1 (Accuracy) of the Code were also rejected.

**ENDS**

#### **Notes to editors:**

1. The PCC is an independent body which administers the system of self-regulation for the press. It does this primarily by dealing with complaints, framed within the terms of the Editors' Code of Practice, about the editorial content of newspapers and magazines (and their websites, including editorial audio-visual material) and the conduct of journalists.
2. To read the Daily Mail adjudication, please [click here](#).
3. To read the Independent on Sunday adjudication, please [click here](#).

4. Peter Wright, the editor of the Mail on Sunday and an editorial member of the Commission, took no part in the deliberations of this complaint, and left the room when it was discussed. He did not see any correspondence connected to the case. This is because the Mail on Sunday is the sister newspaper to the Daily Mail. The PCC publishes a Register of Interests which includes a list of titles in which editorial Commissioners have an interest and about which they do not consider complaints. It is available [here](#).

5. For more information, please contact Jonathan Collett on 020 7438 1246 or 07740 896805.

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