



Code advice for complainants

PCC guidance following a death

Media attention following a death

This leaflet is designed to help you deal with the press in the aftermath of the death of someone close to you. It also outlines how the Press Complaints Commission can assist you at this difficult time. It may be worth having a copy of the Editors' Code of Practice that we uphold to hand as you read through this advice. The relevant parts of this are set out below, or you can see the Code in full at www.pcc.org.uk.

All of our services are free to use.

Introduction

Newspapers and magazines regularly publish stories about people who have died, particularly if the death has happened in unusual circumstances or has a human interest angle. They are generally entitled to do so, provided that the reporting is conducted sensitively. As a result, some degree of media attention may be inevitable, even if - understandably - you do not wish for this to happen. We understand that dealing with the press is the last thing on your mind at the moment, but you may wish to take a few moments to think about possible media interest, and how best to deal with it. Our guidance below seeks to provide you with practical advice on the subject in a straightforward way. If you have any questions, we are always happy to offer advice on a confidential basis, any time of the day or night. Our contact details are given at the end of this leaflet.

The press may get in touch over the telephone, via social networking sites (such as Facebook), or may approach you in person at home. You may decide you want to speak to some or all newspapers and magazines that contact you, or you may wish to have nothing to do with any of them. The important thing is to know what can happen, and how we can help you if necessary.

The newsgathering process

Even if you do not wish to speak to the media, the press will still be able to obtain a lot of information about the person who has died from legitimate sources in the public domain, for example public records such as the electoral roll, council tax registers and Companies House. Journalists may also make use of social networking sites, such as Facebook, LinkedIn, MySpace, Twitter and Bebo, so you may wish to consider what impact the relevant privacy settings will have on who can access this information, and consider changing them if necessary.

(Facebook, for example, has a process in place to deal with the accounts of deceased persons who were account holders on the site. The process, called 'Memorialization', restricts profile access to confirmed friends only. Memorializing an account sets the account privacy so that the profile can not be located in public search. The Wall of the profile remains, so friends and family can leave posts in remembrance. Memorializing an account also prevents anyone from logging into the account as a means of protecting privacy. A specialised contact form is available to report a deceased user to Facebook: http://www.facebook.com/help/contact.php?show_form=deceased

Immediate family members may request the total removal of a loved one's account from Facebook.

This will completely remove the account from Facebook so that no one can view it. If you are requesting a removal and are not an immediate family member of the deceased, your request will not be processed, but the account will be memorialized. Immediate family members may request total removal by filling in this specialised form: http://www.facebook.com/help/contact.php?show_form=memorialize_special_requests.

The police, ambulance crews and fire and rescue services are also publicly-funded bodies that have to keep the press informed of their activities, and generally provide some basic details. If a police family liaison officer is supporting you, you can discuss with them how the police press office operates when dealing with requests from the media.

Newspapers and magazines will often seek comment about the person who died, by approaching other members of the family and friends to gather snippets of information, and sometimes photographs. Normally, this is simply to write a tribute to them - something many people welcome.

It is your decision whether or not to provide this sort of information to the media. It can be a useful way of satisfying and therefore easing some of the media interest. However, please be aware that this can create more coverage.

The Editors' Code of Practice

The Press Complaints Commission is an independent body which administers the system of self-regulation for the UK newspaper and magazine industry. We do 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). The Code covers issues such as accuracy and privacy in reporting and how journalists should behave in gathering the news, and can be seen on our website: www.pcc.org.uk.

There are a number of provisions in the Code that newspapers must abide by when reporting a death:

- The press must take care not to publish inaccurate, misleading or distorted information (Clause 1);
- Journalists must not engage in harassment (Clause 4)
- In cases involving personal grief or shock, enquiries and approaches must be made with

sympathy and discretion and publication handled sensitively (Clause 5, i);

- The press must not include excessive detail when reporting suicide, in order to minimise the risk of copycat cases (Clause 5, ii).

What to do if you wish to speak to the press

You may decide that you want to speak to each and every reporter who makes contact with you. However, some people may find it easier to appoint a relative or friend (or a representative such as a religious leader, solicitor, police family liaison officer etc) as the person to coordinate media interest.

That individual could pass on comments from those who wish to speak, field calls from journalists and generally take the pressure away from those most affected by the death.

The kind of information the press is generally interested in finding out may include the following sorts of things:

- The name, full address, age and date of birth, occupation, workplace/school of the person who has died;
- What the person was like: what they liked; what they did as hobbies; who their friends were; how they will be remembered;
- What happened, how they died, and, possibly, your reaction to those circumstances;
- Anyone else you think they should speak to in order to get a rounded picture of the person;
- Details of the funeral arrangements or any memorial service.

The press may also ask you for a photograph of the person who has died. If you do not wish to hand over original prints but are content for the images to be used, these can be copied there and then by a photographer.

If the person died by suicide, the journalist may ask some more specific questions, along the following lines:

- did the individual seek support (e.g. from the Samaritans)?
- what was the individual's state of mind before they died?
- did the individual have any problems? Did anyone else have a problem with them?
- did they leave a note?

Some people find it easier to release a prepared written statement to the press, sometimes with photographs, rather than dealing with journalists directly. This can also state whether you may be prepared to comment further at a later stage. Although it is unusual for deaths to become the focus

of widespread, national media attention, you should nonetheless be aware that stories originally published in a local paper could well be featured in a national newspaper or magazine, if the circumstances were such that they were interested in it. So, before agreeing to speak to a journalist at length, it is always wise to consider the possible implications of putting information into the public domain in this way.

What to do if you do not wish to speak to the press

If you do not wish to speak to reporters, you should make this clear to them. This can either be done directly or, if you prefer, you can send an email to the PCC containing a request to be left alone to grieve in peace. We will then pass this on to editors. This will make clear to them, quickly and efficiently, that you do not want to speak about the death. This should help to prevent further unwanted approaches, and has been used successfully by many people who have found themselves at the centre of a story.

The circulation list used by the PCC for this service will include broadcasters as well as national editors. It can either be sent to editors across the industry, or it can be tailored to ensure that the relevant local and regional media are included. This service offers fast, direct access to newsrooms via our extensive contacts. Please be aware that the PCC's remit does not formally cover news agencies (other than the Press Association). However, we can include some news agencies on the circulation list to ensure they are aware of your concerns.

PCC staff can help with drafting your email, and are always happy to offer advice about appropriate wording. Messages will be marked 'Private and Confidential' and 'Not for Publication'. However, such messages will need to contain basic information about you, such as your name and some information about your address. This is for the purpose of identification, so that editors can be certain precisely who they relate to, and to help them distinguish between people who do, and people who do not, wish to speak to the media about their situation.

We may also be able to inform newspapers of your wish for privacy at the funeral or memorial service. We may also be able to help again at the inquest, as you may find that the media are also interested in covering inquest proceedings.

However, it is important to point out that this advisory system relies on good faith and cannot be used to allow an individual to speak to one title instead of another, or to protect exclusives. If you decide to speak exclusively to one title, the PCC may not be able to help you manage the contact from other journalists.

You can call us at any time on a confidential basis to discuss how best this can be achieved. Our number in office hours is 020 7831 0022. We also operate a 24-hour emergency out-of-hours service for urgent cases of harassment (07659 152656). If you are contacted, you should inform the reporter/s of your decision not to speak to the media. The reporter should respect those wishes, particularly if you have issued a request via the PCC, as set out above.

Another option may be to appoint a representative to deal with any enquiries who can speak on your behalf and to whom you can direct journalists.

Protection from harassment by journalists and photographers

It is important for you to know journalists should not follow or persistently question people once they have been asked to desist, unless they can demonstrate that there is a public interest for doing so.

Clause 4 (Harassment) of the Code states:

- i. Journalists must not engage in intimidation, harassment or persistent pursuit;
- ii. They must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on their property when asked to leave and must not follow them. If requested, they must identify themselves and whom they represent.

If journalists persist in attempting to contact you after a desist notice has been issued (either by you directly or by the PCC), you should contact us immediately with a view to making a formal complaint. Our contact details are below.

Pre-publication advice

If you are worried about a story you think will be published, you can contact us for advice. The PCC cannot prevent newspapers from going ahead with a story, but we can certainly help ensure your position has been fully taken into account by the publication concerned. We will either advise you on how to deal with the newspaper or magazine directly or, in some cases, pass on specific concerns to the relevant publication. There is no need to make a formal complaint to use this service.

Making a complaint

If you think the rules in the Code have been broken - either in the way the article has appeared, or by the behaviour of a journalist or photographer - you can make a formal complaint to us.

When we receive a complaint, we will, at first, seek to mediate between you and the editor in order to achieve an appropriate settlement, depending on the circumstances of the case. This can be achieved in a variety of ways, including: the publication of an apology, correction, letter or follow-up article; a private letter of apology from the editor concerned; the removal of inaccurate or intrusive material from a website.

The PCC also has an adjudicatory function and can issue formal rebukes which must be published in full and prominently by the offending newspaper or magazine.

More information about how to make a complaint can be found on our website, as can many examples of cases we have dealt with.

What to do if the death happens abroad

There may be a particular press focus if a death happens abroad. The Foreign and Commonwealth Office (FCO) will be able to advise you about all the practical aspects of dealing with the death. There is more information available on the FCO website (www.fco.gov.uk). The FCO may also help you with media enquiries.

The PCC's remit covers newspapers and magazines published in the UK, but it continues to apply to journalists working for UK publications wherever they are reporting from. If you have concerns about foreign titles and their journalists, we will be able to offer advice on whether there is a PCC equivalent body you can contact abroad.

Court and Inquest reporting

Inquests are court hearings, presided over by a Coroner (or Procurator Fiscal in Scotland), which take place in public. Newspapers and magazines are entitled to cover them. If you would like the PCC to request that the press do not contact you after the inquest, please ask.

You may find it helpful to read our separate guidance on this called 'Court and inquest reporting' which is available on our website, as are guidance notes on other aspects of the Code.

Further information

More information on how we work may be found on our website (www.pcc.org.uk). If you have any queries at all, please do not hesitate to contact us directly and we will be happy to help.

Press Complaints Commission
Halton House
20/23Holborn
London EC1N 2JD

Switchboard: 020 7831 0022

Facsimile: 020 7831 0025

Email: complaints@pcc.org.uk

24 hour emergency advice line: 07659 152656

(Please leave a message explaining the nature of your concern and you will be phoned back).

NB: This number is for use in emergencies only, primarily in cases of harassment by a journalist, or for pre-publication advice. It should not be used for general complaints enquiries, which can be made online.

Or email the PCC's Head of Complaints directly: scott.langham@pcc.org.uk