

2020-82: Hicks vs Voice of Pelham

January 14, 2021- *for immediate release*

The National NewsMedia Council has dismissed a complaint alleging disregard for a person’s right to privacy stemming from the publication of a November 25, 2020 article “Compassion not cash urged for panhandler” by the Voice of Pelham.

The complainant, Rebecca Hicks, said reporting about a local woman who had been approaching pedestrians and vehicles for money violated the privacy of a vulnerable person by publishing her approximate age, street of residence, and a picture of her standing by a police car.

The complainant, who identified herself as a nurse and mental health advocate, alleged the news article shamed and humiliated the individual, and disregarded the subject’s privacy by asking for her for name and comment. She cited information from the Canadian Association of Journalists about the need for special consideration toward vulnerable subjects in seeking informed consent to be interviewed.

The Voice of Pelham responded by stating that seeking comment from the subject of a story is basic journalistic practice. The subject opted to decline comment, and the reporting did not reveal her face, name, or personal details. The story included comments from officials and experts about the wider issue of assisting individuals in need and those dealing with mental health issues.

The news organization also rejected the complainant’s allegation that the story intended to shame and humiliate the subject of the story.

In its review of the materials submitted, Council supported the news organization’s view that a story about panhandling that interrupted business and created concerns about safety and social distancing in a small community was newsworthy. Council also accepted the news organization’s position that factual statements are not inherently shaming or humiliating, and that no factual errors were alleged by the complainant.

Council found the news organization followed standard journalistic practices by asking the subject of the story for name and comment. The news organization respected the subject’s decision to decline comment and employed standard best practice by seeking comment from officials and experts about the wider issues of poverty and mental health.

Council supports the widely-accepted consensus that persons present in a public space should not expect to be afforded the same degree of privacy as they would in a private space. It found the news organization was respectful of the subject’s wishes and did not identify her beyond basic descriptors. That said, Council is mindful of the ease of identification of individuals in smaller communities.

More generally, this article is one example of how systemic inequities revealed by the COVID-19 pandemic places special demands on news organizations when publishing stories involving

vulnerable persons. Best practice is to give special consideration to vulnerable persons, with extra consideration around photography and privacy issues. Specifics must adapt to the individual case, but best practice is to seek consent and avoid photos that can identify a vulnerable person. Those parameters should consider such factors as the size and nature of community being reported on and the community at large.

At the same time, Council supports journalism's mission to personify and contextualize events whenever possible. An ordinary reading of this article reveals that the news organization approached this story in a compassionate way using standard journalism practice.

For the above reasons, the NNC found no grounds for breach of standards and dismissed the complaint.