



Submission to the Leveson inquiry April 3, 2012

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We have for some time been engaged in on-going research into media relations with the bereaved and have spoken to journalists, editors, journalism educators and bereaved families mainly in North West England and Scotland. We are concerned that the inquiry is hearing from a high profile group of victims who may not fully represent the feelings of victims and victims' groups as a whole – and is also looking at unusual instances of criminality when throughout the regions thousands of journalists are working sensitively and ethically with the “newsworthy” bereaved. The section below from the Guardian live blog (16/11/11) about the press coverage of the disappearance and subsequent murder of Milly Dowler has compounded these fears:

Sherborne [counsel for core participants: victims] goes on to say the press didn't just stop at intercepting her voice mails.

“When her parents went to reconstruct their daughter's last journey, the News of the World tailed them and photographed them.

“Face etched with pain, Missing Milly's mum,” wrote the paper.

“Mile of grief” was another of several headlines above articles that intruded on their anguish and privacy, says Sherborne.

First stolen voice messages, why not steal these moments too? Ethically what is the difference?

11.46am: It was this revelation that led to the Leveson Inquiry”

While we have the utmost sympathy with the Dowler family and the unimaginable ordeal they endured, our research suggests that their experience of the media is an extreme one. Many families receive sensitive treatment at the time of a tragic death, particularly from the regional press, and often welcome approaches from journalists. We also have evidence that families can feel snubbed if their loved one's death does not appear in the media, suggesting that the ethical problem can actually be one of exclusion, not intrusion (Newton and Duncan, 2012; Duncan, 2005). Of course there are problems with the relationship between reporters and the bereaved, writ large by the experience of the Dowlers and other participants in this inquiry, but we strongly believe it is one that requires mutual understanding rather than more regulation.

Our biggest concern is that this emphasis on limited wrong-doing and the ethics of intrusion could result in families being denied the right to involvement in a story that is essentially theirs, not the journalists' or the legal systems'. Journalists already have a negative view of their role in contacting relatives for comments (Duncan and Newton, 2010) and further criticism or regulation may make them more likely to avoid families and turn to social networking for information and pictures, which ironically could be more intrusive. We have found that although most journalists still recognise the importance of including the relatives in a story of tragic death, they nevertheless reported that copying information and tributes from social networking sites was far less stressful. We have also found that although journalists regard contacting and interviewing families as an extremely onerous task they believe it is the best method for both parties of recording the bereaved's story, as this journalist's quote illustrates.

Approaching the family is the most uncomfortable, awkward and difficult task...however inevitable and unavoidable...Headlines in the paper may often be the first 'real' encounter the bereaved family experience from the tragedy at hand. Sensational headlines become the brutal reality before they themselves have come to terms with their loss. However, relying on friends (when you are unaware of their relationship to the deceased), as opposed to the family, could give a tainted, prejudiced and misconstrued view of the subject.

(Newton and Duncan, 2012)

Tragic deaths have always been featured in the media, either as reported stories or in the obituary columns, and the numbers of paid-for obituary notices and growing popularity of on-line tribute sites would suggest that such sharing of “private” information is consensual and acknowledged as part of the ritual of loss.

As a long-serving news editor in the North West was fond of saying: after a tragic death families in Liverpool expect ‘the undertaker, the priest, and the Liverpool Echo’.

(Newton and Duncan, 2012)

Sensitively-reported death stories have acted as catalysts to public action and have served as public memorials to the deceased (Linklater, 1996; Griffith, 2004). Our research suggests that such reports can fulfil a public service role by informing the wider community, who may then offer comfort and support to the family, avoiding the need for repeated question-answering and circumventing the rumour mill. This public service role can also function to warn others of potential risk and in an increasingly secular society where religious, ritualistic norms of grieving are diminishing such stories can provide a means by which people can come together to mourn (Duncan, 2012). There is also evidence that speaking about traumatic experiences can be cathartic for interviewees, and that victims can gain “mastery” over feelings of shock and helplessness by “giving testimony” (Raphael, 1986). Other studies have suggested that the media can be pivotal to the public’s understanding of tragedy (Reigert and Olsson, 2007; Kitch and Hume, 2008; Thomas, 2005; Griffith, 2004).

In our research we have come across families who expected media attention - and had been briefed by the police to expect significant attention - yet received little or none. The following is an extract from Newton (2012) about the upset caused by a perceived lack of interest in a loved-one’s death.

“The police said not to be surprised if when I opened my curtains in the morning there were all kinds of media out there. I thought it was good to be forewarned so I could think about whether to speak to them. When I opened the blinds the next morning there wasn’t a soul out there and there never has been. Not that I wanted that, but I think someone should have contacted me before printing what they did.”

Two further interviewees reported similar experiences, with one couple who had been braced for a media onslaught ending up “struggling” to get a story about their son in the

local evening paper. Police officers are obviously central to liaison with the media and the families when a tragedy occurs and are arguably preparing them to expect the “worst” in terms of media attention. This can be problematic when the incident is not judged to be as newsworthy as the police expect.Expert witnesses from SAMM (Support After Murder and Manslaughter) and FFJ (Families Fighting for Justice) both referred to families feeling neglected or insulted by a lack of media attention when their loved one was killed.

Interviewee A commented: “It’s as if they’re not as worthy of attention as the next murder victim, who may get pages of coverage.”

While none of this negates the problem of unwarranted press intrusion at times of grief, we hope it will set a wider context for the debate and help establish that in many situations the coverage of tragic deaths fulfils a public service role.

Our future research will focus on a knowledge exchange project involving the journalism profession and bereaved groups in order to devise guidelines and practical advice for journalists who report the bereaved. We would welcome the opportunity to work either collaboratively or in an advisory capacity with interested policy or regulatory bodies.

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