



The Scottish Parliament  
Pàrlamaid na h-Alba

**PUBLIC PETITION NO.**

**PE01799**

### **Name of petitioner**

Sarah McHardy on behalf of Families Outside

### **Petition title**

Make it illegal to publish a defendant's address in the press.

### **Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to make it illegal for any press or media outlet to publish a defendant's address.

### **Action taken to resolve issues of concern before submitting the petition**

We raised awareness of our No Address in the Press campaign at a meeting of the Scottish Parliament's Cross-Party Group on Families Affected by Imprisonment. The Cabinet Secretary for Justice was in attendance, answered questions and heard directly from families. He was supportive of the aims of the campaign. Mary Fee MSP chaired the meeting and was also supportive, committing to submit a motion on the issue.

### **Petition background information**

Families Outside works with children and families across Scotland who are affected by imprisonment. Our Family Support Co-ordinators and helpline have supported a number of families who have received abuse after a family member has been sentenced. We believe that there is a direct link between this abuse and a defendant's address appearing in the press.

According to the Independent Press Standards Organisation, "When reporting a court case, a newspaper normally reports details about the defendants and witnesses such as their name, age and address. Normally, newspapers will report a partial address. However, journalists are allowed to publish someone's full address, if this is necessary to identify someone."

When even a partial address is published some members of the public can use this information to target the defendant. The defendant's property may be vandalised or they may even receive death threats. In the vast majority of cases, the defendant will already be imprisoned, so their family and children are left to suffer, even though they have done nothing wrong.

When a family member is imprisoned, families feel the impact very quickly. They may

When a family member is imprisoned, families feel the impact very quickly. They may lose income, the family may struggle to hold on to rented accommodation or to make mortgage payments. Anxiety, depression and social isolation are common amongst families who have a relative in prison. Where mental health conditions already exist, then these can be exacerbated.

The imprisonment of a parent is also regarded as an Adverse Childhood Experience because of the negative impact it has on children.

The publication of a defendant's address details can further stigmatise a prisoner's family.

By making it illegal to publish a defendant's address, the Scottish Government would be meeting a key Council of Europe (<https://rm.coe.int/cm-recommendation-2018-5-concerning-children-with-imprisoned-parents-e/16807b3438>) recommendation in relation to children with imprisoned parents which states, "Information provided to, and by, the media should not violate the right to privacy and protection of children and their families, including data protection rules, and any media reporting should be carried out in a child- friendly manner."

Changing the law would also help ensure compliance with Articles 2 and 3 of the UN Convention on the Rights of the Child.

#### Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/defendantaddress>

#### Related information for petition

#### Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

YES

#### How many signatures have you collected so far?

0

#### Closing date for collecting signatures online

07 / 04 / 2020

#### Comments to stimulate online discussion

- Should the press be allowed to publish the address of a defendant in print journalism or wider digital media?
- How would removing the ability to publish a defendant's address help Scotland fulfil its obligations under the United Nations Convention on the Rights of the Child?
- What impact will ending the current practice of publishing a defendant's address have on the stigma and social isolation experienced by families affected by imprisonment?

