

# EDITORIAL POLICY GUIDANCE NOTE

## PRIVACY AND MISSING PEOPLE

### EDITORIAL GUIDELINES ISSUES

*This guidance note should be considered in conjunction with the following Editorial Guidelines:*

- **Privacy**  
See Editorial Guidelines Section 6 Privacy

### SUMMARY OF MAIN POINTS

- When people go "missing" it is not always the case that they have been harmed or are seeking to evade the law. We need to consider at what point their right to privacy outweighs the public interest in identifying them, or the desire of family and friends to trace them, in the context of a BBC programme or website.
- Their right to privacy should be considered in relation to their age, their legal status, their state of health and the circumstances of their disappearance.

### GUIDANCE IN FULL

- **Introduction**
- **The age of the missing person**
- **Legal status**
- **State of health**
- **Circumstances of disappearance**

### Introduction

The BBC sometimes reports stories about missing people and broadcasts appeals to help trace them, with personal details provided by relatives and friends. We should take editorial responsibility for the content of the message. This could involve holding back information the missing person might regard as private, embarrassing or distressing. We should also be aware that not every missing person wishes to be found.

## **The age of the missing person**

A child under sixteen may be considered to be at risk of moral or physical harm if alone and unsupported in the world. A young person between 16 and 18, depending on their circumstances and their capacity to support themselves, may also be at risk. Their safety would outweigh considerations about their privacy in the first instance; however, the decision whether to identify them would be taken in conjunction with their parents and any relevant authorities. If and when a child is found, no matter that their name and picture may already be in the public domain, the decision to further identify them would need to be considered once again in relation to their current circumstances and future welfare.

An elderly person may be considered to be as vulnerable as a young child, depending on their age, their state of health and mental capacity. However, their right to privacy needs to be considered when deciding what intimate facts about their life to report, however relevant to the story of their disappearance.

If a person is a competent adult, and there is no reason to believe they have been abducted, assaulted or murdered, their right to privacy may outweigh the public interest in identifying them as a "missing person" on national television. A judgment will have to be made based on the known circumstances of their disappearance.

## **Legal status**

If a person is facing legal charges or is believed, with good reason, to be involved in criminal activities, their disappearance may be linked to a desire to evade the law or to live outside of the law. Their right to privacy is compromised by their criminal status.

If a person does not have the right to remain in the UK, then their disappearance may be related to a wish to evade detection as an illegal immigrant and consequent deportation. This would also undermine their right to privacy.

### **State of health**

If a person is currently suffering a mental illness, or has a history of mental illness, such that they may harm themselves or harm another, identifying them may be more important than their right to privacy. Equally, if they are by virtue of their illness unable to take responsibility for themselves, identifying them may be important to their safety.

If a person needs urgent medical attention or medication for a chronic illness, this too could be seen to outweigh their right to privacy; however, to broadcast details of their illness or treatment would usually be considered an infringement of their privacy.

### **Circumstances of disappearance**

If an adult disappears from a domestic situation which is conflict-ridden and stressful, or possibly abusive, their right to privacy and to make a new life might outweigh any desire by friends and family to identify them with the intention of locating them or persuading them to return home.

If an adult leaves a family with no visible means of support, with a large number of debts or in desperate personal circumstances, our sympathies might lie with the family but we would still have to consider whether such a person has lost the right to privacy. The fact that they have abdicated their social responsibilities may or may not have a bearing on our decision to identify them.

If an adult is reported by family to be missing but we have good reason to believe, from talking to friends or work colleagues, that he or she may simply have re-located to escape an untenable domestic or professional situation, we should respect their right to privacy above and beyond the willingness of the family (or the police) to identify them as a "missing person". If we cannot establish, evidentially, whether a person has gone missing willingly or unwillingly, we should consider the balance of probabilities according to the circumstances and in relation to the public interest in telling the story. There should be no automatic assumption of exposure.

If a child or young person runs away from what is reported to be a conflict-ridden, abusive or neglectful home, their ongoing safety and welfare should be considered according to the BBC's [Child Protection Policy](#). The case may need to be referred to Social Services. In this instance the family's possible desire to identify and locate them would take second place to the child's needs.