

Adjudication

Complaint by Ms Emma Ryan

When Celebrities Attract: Posh and Becks, BSkyB (Sky One),
1 July 2003 and trailer

1. Issue

This programme was about the rise to media ‘stardom’ of David and Victoria Beckham and their celebrity status. It contained interviews with various ‘commentators’ and featured stories that had hit the headlines about the couple. A photograph of Ms Emma Ryan on the front page of a tabloid newspaper was included in a brief sequence about allegations that David Beckham had had an affair with a lap dancer. The same footage also appeared in the trailer and the programme.

Ms Ryan complained that she had been treated unfairly because she was not the lap dancer as featured the newspaper’s story. Ms Ryan also felt that her privacy had been unwarrantably infringed in the programme and the trailer.

2. Unfairness

Ms Ryan’s case

The programme and trailer implied that Ms Ryan was the lap dancer that allegedly ‘set-up’ David Beckham. Prior to broadcast the programme-makers had assured her that she would not be shown in the programme in a derogatory way.

BSkyB’s case

The trailer did include a newspaper headline on Ms Ryan’s relationship with David Beckham. On seeing the trailer, Ms Ryan asked BSkyB when the programme would be broadcast and details of its content. At this stage there was no suggestion that she was complaining.

In the newspaper article that linked David Beckham to a number of women Ms Ryan was described as a topless model. However it was another woman who was the lap dancer and allegedly ‘set-up’ David Beckham.

In the original edit of the programme, which was not broadcast, the voice-over reference to the lap dancer was accompanied by a picture and headline about

Ms Ryan. BSkyB therefore requested all references to Ms Ryan's involvement with David Beckham and the attempted 'set-up' to be edited out. However, some confusion arose as to which changes should be made with the result that the reference to "a tabloid newspaper" in the voice-over was edited out but the newspaper article about Ms Ryan's involvement with David Beckham remained in the programme, as did reference to an attempted 'set-up'.

BSkyB said that it offered Ms Ryan 'a right to reply' in a new series entitled *The Posh and Becks Years*. She was guaranteed that if she chose not to appear in the series, no reference to her relationship with David Beckham would be made.

Decision

It was accepted that due to an editing error the reference to a 'set-up' and the inclusion of newspaper front page article featuring Ms Ryan's relationship was not removed from the programme.

However, the error left viewers with a very clear impression that Ms Ryan was the lap dancer referred to in the script and that she had been part of an attempt to 'set-up' David Beckham. This presented her in a derogatory light. The programme was therefore unfair to Ms Ryan in these respects.

The inclusion of the newspaper article in the trailer after a commentary reference to "scandal" was not unfair, given her publicised involvement with David Beckham.

3. Privacy

Ms Ryan's Case

The front page of the newspaper which included a photograph of Ms Ryan and details about her relationship was used in the programme and trailer without her consent.

BSkyB's Case

Ms Ryan was 'involved' with David Beckham in 1998. From newspaper articles published at the time, it appeared that Ms Ryan had spoken to the press about her relationship and the story appeared on the front page of at least one newspaper. As a consequence, the details of the relationship were in the public domain. The brief reference to the articles did not unwarrantably infringe Ms Ryan's privacy in the programme or trailer as broadcast.

Decision

Ms Ryan had been interviewed and photographed for *The Sun* and other newspapers about her involvement with David Beckham. Some of these had been published comparatively recently. In these circumstances, the photograph and accompanying references to her relationship were in the public domain. Consequently, there was no infringement of Ms Ryan's privacy in either the trailer or the programme.

13 February 2004

Mr Chris Banatvala

Ms Judith Barnes

Mr David Best