

## Greenslade

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## Why the bikini photographs of Princess Beatrice fell foul of Ipso

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Regulator censures Mail Online for 'a gratuitous and invasive' focus on the princess's body, which 'represented a serious intrusion into her privacy'

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A princess on a yacht in the Mediterranean strips down to a bikini and jumps into the sea. An unseen paparazzo with a long lens clicks away.

Result: grainy, intimate photographs. The snapper's agency sells them to a delighted editor in Britain and they are published for the world to see.

Once upon a time, the editor might conceivably have got away with that. It would have been touch and go, but the argument would have been clear enough.

The princess was in a place where she could be seen by other members of the public. The photographer was not trespassing. The pictures were delightful.

Maybe there would have been an attempt at a public interest justification: the pictures illustrated the princess's life of privilege.

But none of that will wash any longer, as the Mail Online's publisher, Martin Clarke, now knows. His publication of pictures of Princess Beatrice have resulted in [a sharply-worded censure by the Independent Press Standards Organisation \(Ipso\)](#).

It decided that they amounted to “a serious intrusion” into the princess’s privacy. “The taking and publishing of these photographs,” it said, “placed a gratuitous and invasive focus on parts of the complainant’s body which would not ordinarily be subject to public scrutiny.”

That is one of the most damning adjudications handed down by [Ipso](#) since its formation a couple of years ago.

Why? Because it was a blatant breach of the editors’ code of practice. It broke every part of the clause on privacy. It did not respect the princess’s private life; it ignored the fact that she had “a reasonable expectation of privacy”; and there was no way of justifying publication in the public interest.

It was in June this year that Mail Online ran a set of pictures provided by the “celebrity photo agency”, [xposurephotos](#), under the headline: “Beatrice makes a splash on yet ANOTHER day off! Princess dives into the sea in a very skimpy bikini as she enjoys a sunshine break on a yacht in Monaco.”

The article referred to the princess’s “hourglass curves” and pointed out that she was rather fond of holidays.

In its defence, Mail Online said the photos were taken, with a 600mm lens, from public land on the shore. The boat was 200m out to sea and the princess was visible to the naked eye.

It didn’t wash with Ipso’s complaints committee. The grainy quality of the pictures suggested it was impossible for anyone to see the princess from the [Monaco](#) shoreline.

She was not engaged in any official duties. On a private yacht engaged in a series of private activities, she had “a reasonable expectation of privacy.”

And there wasn’t a scintilla of a public interest justification. So Ipso ordered Mail Online, which had taken down the offending photos, to publish its adjudication, [which can be found here](#).

However, it took me one click to find whole set of the offending pictures on a site that is located outside Britain and therefore not subject to regulation by Ipso.

And there lies the problem, in this digital era, for the regulator. It can put its finger in the dyke to prevent British publication but it can do nothing to stop the flow of content available on foreign sites.

Doubtless, Clarke would argue that his freedom to compete on a global level is therefore hindered by UK regulation. He may be right, but he is signed up to the regulator and knows he must abide by the editors’ code.

I cannot let this matter pass without noting, yet again, that members of the royal family, especially princesses, are serial users of press regulation.

Among the first adjudications by the Press Council in the 1950s were those on behalf of Princess Margaret. One of them concerned her being pictured in a swimsuit while water-skiing, which was deemed to be an invasion of her privacy (just like the Beatrice case).

Diana, Princess of Wales, was also a regular user of the Press Complaints Commission throughout the 1980s and 90s. One of her complaints, about the Sunday Mirror’s publication of pictures of her in a gym, was the precursor to the downfall of the PCC’s first chairman.

Princes William and Harry routinely used the services of the PCC to restrain intrusive photographers. Now they have been doing the same with Ipso.

It’s no wonder that so many people see regulation as Her Majesty’s Loyal Press Service. I can’t see how Ipso can do otherwise than act for the British royal family when its members make complaints.

It is also the case that the bulk of Ipso’s complainants are not royals or celebrities, and their cases get little publicity.

But the perception of a press regulator as a branch of Buckingham Palace does tend to undermine its credibility as a defender of the public.

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