

IN THE SUPREME COURT

B E T W E E N :

SIMPSON,
HANDSWILL

Appellants

V

THE POST

Respondent

Problem Question

Facts

Missy Simpson is a high profile young pop star who recently got married to a children's television presenter, Lucas Handswill. Missy is particularly known for her sexually provocative songs and dance routines. Lucas, on the other hand, has a particularly clean cut image. To try to maintain this, both were keen for the wedding to be a private event. There was a great deal of secrecy surrounding the marriage due to concern at the disapproval of the relationship from Lucas' friends, family and co-workers.

Missy's ex-boyfriend, Patrick Schmitz, was particularly outraged by the marriage, and decided to sell the story of his relationship with Missy to a national newspaper, The Post. This story gave details about their lurid sex life and explained that the breakdown of the relationship had arisen out of Missy's increasing drug use and her infidelity with Lucas. The Post published the story alongside details and photographs of Missy and Lucas' wedding. These included images from the wedding party, showing Missy and Lucas intoxicated and using drugs. One of the photographs in particular showed Lucas in the presence of a group of teenage girls whilst taking cocaine and smoking cannabis. All of the images concerned, as well as the stories, have since been picked up and reproduced by numerous news websites and social media.

Missy Simpson and Lucas Handswill brought proceedings in the High Court for infringement of the right to respect for privacy, relying on *Douglas v Hello! (No.1) [2001] 2 All ER 289* and *Campbell v Mirror Group Newspapers Ltd [2004] UKHL 22*.

At the trial, Dalton J found that:

1. There was no reasonable expectation of privacy with regard to their wedding, its details and details of the relationship due to the manner in which Missy Simpson and Lucas Handswill courted the press.
2. Any right to privacy was outweighed by the public interest in the photographs being published, in particular the images of drug use around young fans.

In the lower court

The Court of Appeal unanimously upheld the judgment of Dalton J.

The present appeal is on two grounds:

Simpson and Handswill now appeal to The Supreme Court on the following grounds:

1. Both Missy Simpson and Lucas Handswill had a reasonable expectation of privacy regarding their relationship, wedding and the photographs taken at their wedding.
2. The right to respect for privacy was not outweighed by any public interest in the publication of the story or photographs surrounding Luke's drug use.