

1 September 2023

**Statement from British media and defamation lawyer Hanna Basha:**

“The owner of copyright in the broadcast is likely to be the BBC, as the BBC made the recording and the arrangements for the recording.

However, Goma may have an arguable case for misuse of private information, or for wrongful data processing. It seems he thought he was attending a private interview for a job, but in fact his interview was broadcast live without his consent. This is likely to be a breach of the BBC’s own guidelines and may amount to an actionable claim for misuse of private information, although it would be an unusual case.

The limitation period for privacy claims is 6 years so he may have left it too late to bring this claim, given that the filming happened so long ago.

However, if he can make out a claim then he would be able to seek either general damages or an account of the profits made by the BBC. It is difficult to assess how much this would be as we do not know how much (if anything) the BBC made. If he sought general damages instead of an account of profits, he would be awarded a sum to account for any damage and distress he suffered. It would certainly be an ambitious case for him to bring and interesting to see if he follows through with his threat to litigate.”