

Mr Mark Balls v Grimsby Telegraph

Clauses noted: 3

Mr Mark Balls of Grimsby complained to the Press Complaints Commission that two articles published in the Grimsby Telegraph on 29 September 2004, headlined "5-0 to police" and "Police crack down on soccer thugs", contained information which intruded into his privacy in breach of Clause 3 (Privacy) of the Code of Practice.

The complaint was rejected.

The articles concerned the arrests of a number of suspected football hooligans. The complainant, who was one of those arrested, complained that his privacy had been invaded through the effective publication of his full address. This was because his street name had been mentioned in the text of one of the articles, and his house number could be seen in one of the photographs used to accompany the piece. Other information in the published photographs – and in pictures published on the newspaper's website – would have led to the identification of his address. He pointed out that he had not been charged with any offence at the time.

The newspaper said that a reporter and photographer had been invited to attend the operation by the police. It asserted that the combination of the text of the article and the photographs did not identify the complainant, or his home address. In any case, it said, the house number in question could not be read. The editor did, however, remove the photographs relating to the incident from the newspaper's website, and offered to apologise for their use.

Adjudication

The Commission accepted that some readers may have been able to identify the complainant's address, had they pieced together all the evidence that appeared in both articles and on the newspaper's website. However, it did not consider that this would necessarily have been easy: the captions to the photographs did not state that the pictures were of a property in the complainant's road; the house number was not especially clear; and the article made clear that addresses in 12 different roads had been targeted. The Commission also noted that the newspaper had taken care not to publish the complainant's name or a photograph of his face.

But in any case, the Commission did not believe that even if identification of the complainant's address were possible, it would amount to a breach of the Code. The address was the location of a police operation at which officers were present in some numbers with a police van. The police presence there would have been obvious. An arrest was made, and a man was taken from the house in full view of his neighbours and any passers by. In these circumstances, it would have been artificial for the Commission to have suggested that publishing material likely to identify the complainant's address was intrusive. What had happened at the address would have been widely known locally as a result of the high-profile police presence. Moreover, the police had invited the local newspaper to witness and photograph the whole procedure.

Turning to the complaint about the website, although the photographs posted there had been taken in a place where the complainant would not have a reasonable expectation of privacy, the Commission welcomed the editor's attempts to address his concerns by removing the photographs that had upset him.

However, none of the complaints raised issues that breached Clause 3 of the Code.

Relevant rulings

A man v Burton Mail, 2004

A man v Perthshire Advertiser, 2004

Adjudication issued 2005