

A woman v Falkirk Herald

Clauses noted: 7, 11

A woman complained to the Press Complaints Commission that an article published in the Falkirk Herald on 14th May 2009 contained material likely to contribute to the identification of her daughter as a victim of sexual assault in breach of Clauses 7 (Children in sex cases) and 11 (Victims of sexual assault) of the Editors' Code of Practice.

The complaint was upheld.

The article reported a court hearing, in which a teenage boy admitted to having unlawful sex with a girl who was between the age of 13 and 16. It included reference to the full address of the house where the offence had been committed.

The complainant said this was the address of their family home, and the newspaper had therefore effectively identified her daughter even though it had not named her. Revealing that the girl had become pregnant was also intrusive.

The newspaper said that the address had been given on the charge sheet, and it had not been suggested, either in the proceedings or the report, that the victim lived there. The paper had not published the girl's age. However, it apologised unreservedly for publishing any material likely to contribute to the identification of the victim, and was willing to publish an apology.

Adjudication

The requirements of the Code in the reporting of sex cases are very strict, and designed to protect people who are particularly vulnerable. In reporting such cases, newspapers should err on the side of caution to ensure that victims are not even inadvertently identified.

In this case, common sense should have suggested that the address might have been the girl's home, given that it differed from the defendant's address, and that it was clear that the offence took place within a relationship rather than during a stranger attack. It was thoughtless and unnecessary to publish the full address, and the breach of the Code was compounded by the reference to the girl's pregnancy.

The Commission regretted the distress that had been caused to the complainant's daughter – who was clearly in a vulnerable position – and had no hesitation in upholding the complaint.

Adjudication issued 11/06/2009