

A man v Barking & Dagenham Post

Clauses noted: 11

A man from Essex complained to the Press Complaints Commission that an article headlined 'The Trapping', published in the Barking and Dagenham Post on 7 July 2004, included information that had led to his identification as a victim of sexual assault in breach of Clause 11 (Victims of sexual assault) of the Code of Practice.

The complaint was upheld.

The complainant said that a report of a court case, in which a former teacher was convicted of indecently assaulting school pupils, contained sufficient information to identify him as one of the man's victims. In particular, the report contained details of an injury suffered by the complainant at the hands of his teacher during a lesson – an injury so specific that anybody who was at the school at the time would have been able to identify him. The teacher's name was given in the report. As a result of the article, friends, relatives and former schoolmates knew that he had been a victim of his former teacher's crimes.

The newspaper said it had decided not to name the school at which the offences had taken place but that the details of the injury suffered by the complainant were an important part of the case. It said that the report of the evidence was justified.

Adjudication

The terms of Clause 11 are clear: newspapers must not publish material likely to contribute to the identification of victims of sexual assault unless there is adequate justification – something which will occur only in very rare circumstances. It is designed to protect against the possibility of 'jigsaw identification' whereby readers can decipher the identity of a victim even though their name is not mentioned in the report.

On this occasion, the Commission was persuaded that the inclusion of specific details relating to the complainant's injury was likely to identify him to a number of people – and it did not consider the information to be of such importance to the story to demand its inclusion. The complaint was therefore upheld.

Relevant rulings

Messrs Philpott, Platt, Niblet & Wright on behalf of a young woman v Clydebank Post, 1998
Thames Valley Police v Metro, 2002

Adjudication issued 2004