

A woman v Macclesfield Express

Clauses noted: 11

A woman from Macclesfield complained to the Press Complaints Commission that an article published in the Macclesfield Express named her 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 article reported that a member of office staff at the complainant's place of work had been convicted of sexual touching, and named the complainant as his victim.

The woman complained that the article had published her name, place of work and nature of her employment as well as the sexually explicit details of the assault. As a result, her friends, family and colleagues knew both that she had been sexually assaulted, and the intimate details of that assault.

The editor immediately accepted that the article breached Clause 11 of the Code. He offered his sincere apologies to the complainant through the PCC and in a private letter of apology, and outlined the steps that would be taken to ensure that there would be no repeat of the lapse. He explained that, while it was no excuse, an inexperienced reporter had prepared the article when senior members of the team were on holiday. Regrettably, the mistake was not then picked up in the sub-editing process.

The complainant was grateful for the steps that were being taken, but wanted the matter also to proceed to adjudication.

Adjudication

The terms of Clause 11 are clear: newspapers must not publish material likely to contribute to the identification of victims of sexual assault.

Naming the complainant in the article amounted to a considerable lapse in the editorial process, one which had thoughtlessly caused distress and embarrassment to the complainant. The Commission welcomed the editor's actions in apologising immediately and taking steps to ensure the problem would not be repeated. However, this was such a serious breach of the Code that, in the Commission's view, it would be difficult for any remedial action to be a proportionate response to the original transgression. The complaint was therefore upheld.

Relevant rulings

A man v Barking and Dagenham Post, 2004

Thames Valley Police v The London Metro, 2002

Adjudication issued 02/11/2006