

A woman v Kidderminster Shuttle

Clauses noted: 11

A woman complained to the Press Complaints Commission that an article published in the Kidderminster Shuttle on 3 September (and some days earlier on the newspaper's website) included information likely to identify her daughter as a victim of sexual assault, in breach of Clause 11 (Victims of sexual assault) of the Editors' Code of Practice.

The complaint was upheld.

Details in the article included: the age of the girl; the name and age of the defendant; the fact he had pleaded guilty to three counts of oral rape; that he considered the girl to be his girlfriend; and (in the internet version) that they had met at church. This last reference had subsequently been removed. But the complainant said that other references to an unnamed church would have made it clear how her daughter and the defendant knew each other.

The editor pointed out that the article had not included the name of the church or where it was situated. The court had given no directions about not referring to a church, and he did not think the piece would have been likely to identify the girl.

The complainant maintained that she had been approached by people after the article's appearance who said they realised the piece concerned her daughter.

Adjudication

The Commission appreciates that it can sometimes be difficult for editors to decide precisely which information should be left out of such reports. On this occasion, the newspaper had clearly taken steps to avoid identifying the complainant's daughter. The Commission was satisfied that the fact that some people had correctly identified the girl following publication was not the result of recklessness on the part of the editor.

However, given the strong protection rightly afforded by the Code to such vulnerable people, it is always better for the press to err on the side of caution. In this case, given that the defendant had (rightly) been identified by his name and age, the Commission was concerned that the addition of both the age of the victim and the man's perception of his relationship with her - along with the general reference to the church - was likely to contribute to the girl's identification by those who knew both parties. The result was a breach of Clause 11 (Victims of sexual assault) of the Code.

Adjudication issued 05/11/2009