

Mr Jonathan King v News of the World

Clauses noted: 1

Mr Jonathan King of London complained to the Press Complaints Commission that an article published in the News of the World on 1 May 2005 headlined "Pervert in the park" contained a photograph of him that had been manipulated in breach of Clause 1 (Accuracy) of the Code of Practice.

The complaint was not upheld.

The article was accompanied by a photograph of the complainant sitting in Hyde Park, apparently looking towards a boy (whose face had been pixellated).

The complainant contended that the image had been doctored by the newspaper to make it appear that he had been 'ogling an innocent child'. In order to gather evidence for this contention, following publication of the article the complainant returned to the spot where he claimed he had been sitting, and arranged for photographs to be taken to illustrate that an un-doctored photograph would have shown a completely different background, including the Serpentine lake. He also provided a statement from a documentary director who was making a television film about him, who confirmed that the complainant had been sitting beside the Serpentine.

The newspaper said that the complainant had completely failed to supply any evidence of manipulation. It provided the original image – in hard copy and digital form – to demonstrate that it had not been interfered with in any way. It also submitted copies of other photographs in the series.

Adjudication

The Commission examined the original digital image of the published photograph, which had been provided by the newspaper. It found no evidence – in terms, for example, of pixel behaviour or inconsistency of light direction – that it had been altered. The Commission also reviewed the other, unpublished, photographs that had been taken at the same time. In the Commission's view, they clearly corroborated the authenticity of the published image.

On the other hand, there was nothing in the complainant's evidence to suggest that the Code had been breached. The photographs posed by him the day after the article was published, and which were taken from a variety of angles and apparently with a different type of lens, did not prove that the newspaper had distorted its picture.

Moreover, the statement by the documentary director appeared merely to confirm that the complainant had been sitting near the lake on the day in question. It contained nothing to suggest that the boy in the photograph had not walked past, or near to, the complainant. Indeed, it conceded that the director had not been present throughout the whole time that the complainant was sitting on a deck chair.

The newspaper's submission was convincing in suggesting that the photograph had not been altered. The complainant's submission suggesting the contrary was not convincing. In these circumstances, the complaint was rejected.

Adjudication issued 2005