

***A man v Scottish News of the World***

Clauses noted: 1, 6

A man from Aberdeen complained to the Press Complaints Commission that an article headlined "Terrorised by knife thug, 7", published in the Scottish News of the World on 10 August 2008, contained inaccuracies in breach of Clause 1 (Accuracy) and included a photograph of his son taken without consent in breach of Clause 6 (Children) of the editors' Code of Practice.

The complaint was upheld.

The article said that the complainant's seven-year-old son had been 'terrorising' local residents in Aberdeen, including by stalking people with knives, drinking and smoking, and hitting a girl with a spade. It added that he had been expelled from several different schools. The complainant said these claims were inaccurate, and that publication of a pixellated photograph of his son would have identified him to people in the community. He provided: confirmation from the council that the boy had attended one school continuously; a letter from the child's Boys Brigade Minister; details of the child's medical condition; and a petition signed by over 100 residents in support of the complaint.

The newspaper said the piece was in the public interest. It had not named the child and taken care to obscure his identity. Its evidence included: a diary of the alleged behaviour written by a neighbour (the reliability of which was challenged by the complainant); letters from Aberdeen City Council and an MSP about the family's 'unacceptable' behaviour; affidavits from another neighbour, the reporter and the news agency photographer; and a statement from a local councillor. Grampian Police had also confirmed that the child had been involved in three anti-social incidents in the summer of 2008. Other sources had confirmed the thrust of the story. While the newspaper stood by its article, it did offer to publish a text in which the family's denial of the allegations could be made public.

*Adjudication*

There was a public interest in reporting anti-social behaviour in communities, and the newspaper clearly had some grounds for its story. However, the most serious claims about the boy's behaviour - the allegations of violence and the assertion he had been expelled from a string of schools - could not be substantiated. This was a significant matter under the Code, particularly given his age, and raised a breach of Clause 1. The Commission was also persuaded that there was sufficient information in the article and pixellated photograph to identify the complainant's son to those in the community. In the context of unsubstantiated assertions about his behaviour, the justification for publication of the photograph was insufficient. There was also a breach of Clause 6 (Children) of the Code.

Adjudication issued 13/11/2009