

Hampshire Constabulary v Aldershot News & Mail

Clauses noted: 11

Hampshire Constabulary complained to the Press Complaints Commission on behalf of two women that an article published in the Aldershot News & Mail in August 2010 identified them as victims of sexual assault in breach of Clause 11 (Victims of sexual assault) of the Editors' Code of Practice.

The complaint was upheld.

The article was a report of the opening of a trial at which a man had pleaded not guilty to crimes of a sexual nature, including indecent assault and attempted rape, against several women. Two women were identified in the piece as alleged victims of sexual assault.

The newspaper accepted from the outset that it was at fault, explaining that human error had led to the names of the women being included, and it expressed sincere regret that this had happened.

Adjudication

● Clause 11 of the Code is very clear: "The press must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so". It is rarely invoked by complainants and rarely breached by newspapers. Obvious practical considerations, and the spirit of the Code, mean that this requirement must apply to individuals who are alleged victims in any ongoing legal proceedings.

This was a truly shocking case in which two alleged victims of sexual crimes had been identified by name. There was simply no justification for naming them - as the newspaper itself had recognised - and the women, who were in a clearly vulnerable position, should have been protected as the Code required. The newspaper's mistake was an appalling one, and the Commission had no hesitation in upholding the complaint.

Given the exceedingly serious nature of this case, and the catastrophic failure of the editorial process, the Commission agreed to refer the terms of its adjudication to the Chief Executive of Trinity Mirror, the owner of the Aldershot News & Mail, so that action could be taken to prevent this ever happening in the future. It requested that the response be referred back to the Commission.

● Adjudication issued 07/07/2011