

PCC upholds complaint after breach of rules on reporting sexual offences

The Press Complaints Commission has upheld a complaint against the Staffordshire Newsletter after it published material that had the potential to identify a child victim of sexual offences.

The newspaper had reported that a man had been sentenced to prison after admitting charges of sexual activity with a child. Its article contained references to the victim's gender, age and the period of the abuse. The complainant, who was the victim's grandfather, said that the inclusion of these details were very likely to have identified his grandchild to people in the local community. He was also concerned that the newspaper had published a photograph of the perpetrator of the abuse. In upholding the complaint, the PCC made clear that the newspaper was absolutely entitled to publish the name and photograph of the convicted man. However, the requirements of the Editors' Code of Practice in this area of reporting are stringent. In addition to the general requirement not to identify victims of sexual assault set out in Clause 11, Clause 7 of the Code states that the press "must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences". The Code then makes clear how this obligation can be met, including the following: "care must be taken that nothing in the report implies the relationship between the accused and the child". As the Commission noted in its adjudication: "This places a considerable onus on editors to consider how the information they publish might enable those who know the accused to work out the identity of the victim."

In this case, the details in the report (including comments made by the judge and prosecuting counsel during the court hearing) clearly had the potential to imply the connection between the accused and his victim. The Commission accepted that the newspaper may not have known the full facts about the case. However, as the PCC concluded: "...it was the newspaper's responsibility - not the court's or the police's or an outside agency's - to take every possible step to avoid identification. This it had failed to do and the result was a serious, albeit inadvertent, error."

The Commission's adjudication has been published by the newspaper. To see the ruling in full click [here](#).

Last week, the Commission announced that it will shortly publish guidance on the subject of reporting sexual offences, following several recent breaches of the Code of Practice in this area.

ENDS

Notes to Editors:

1. The PCC is an independent body which administers the system of self-regulation for the press. It does so primarily by dealing with complaints, framed within the terms of the Editors' Code of Practice, about the editorial content of newspapers and magazines (and their websites, including editorial audio-visual material) and the conduct of journalists.
2. The full text of Clause 7 (Children in sex cases) of the Editors' Code of Practice is as follows:

7 *Children in sex cases

1. The press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences.
2. In any press report of a case involving a sexual offence against a child -
 - i) The child must not be identified.
 - ii) The adult may be identified.
 - iii) The word "incest" must not be used where a child victim might be identified.
 - iv) Care must be taken that nothing in the report implies the relationship between the accused

and the child.

3. For more information, please contact Jonathan Collett on 020 7438 1246 or 07740 896805.

3 May 2011