**JUDGMENT: CATHERINE GRENFELL VS SATURDAY STAR AND IOL**

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| **Complaint** | |
| Complaint number | 2 |
| Independent Media Publication | The Saturday Star |
| Journalist/s | Editors |
| Complaint lodged by | Catherine Grenfell |
| Date complaint lodged | 19 June 2018 |
| Type of complaint | Failure to hide faces of children in a published picture. |
| **Ruling** | |
| Date Ruling delivered | 04 July 2018 |
| Applicable version of the Independent Media Press Code | 5.3. and 5.4 |
| Clauses considered by the Ombud Panel | 5 |
| Related complaints considered | N/A |
| Sanction / Remedy | Apology to be published |
| Complaint fee | N/A |
| Is this report notable? | Yes |
| Summary of notability | Failure to pixelate the faces of children in a published picture led to the violation of Clause 5.4 of the Independent Press Code |

* On May 28, 2018 Mrs Catherine Grenfell lodged a complaint against The Saturday Star and IOL in connection with an article published on May 12, 2018.
* Mrs Grenfell lodged a formal complaint against the Saturday Star and IOL for using a picture of students under the age of 18 without consent.
* Research by the Office of the Group Ombudsman reveal that a picture of pupils outside Parktown Boys High was used by both the Saturday Star and IOL. The faces of the pupils were not obscured.
* This is a straightforward matter that did not require reference to an adjudication panel.
* The issue is quite clear. Clause 5.3 of Independent Media Code says that permissin of the parent or guardian of any child shall be sough in all cases where the identity of the child is to be disclosed.
* Clause 5.4 of Independent Media's Press Code states that: "When it is editorially necessary to publish a picture of a child, which is potentially harmful to the child, the identity of the child shall be obscured in such a manner that the child cannot be recognized. In this regard the face of the child shall be blurred or "pixelated" completely.
* In the May 12 electronic and print edition seen my the Group Ombudsman, no attempts were made by the Editors to obscure the faces of the pupils in the photograph.
* Both the Saturday Star and IOL are guilty of violating Clause 5.3 and 5.4 of the IM Press Code.
* The publication are ordererd to publish an apology within 7 days of this decision and give it the same prominence as the offending photograph.
* Both publication will publish the following apology: "On May 12, the Saturday Star (IOL) published a photograph together with an article on Parktown Boys High. The photograph depicted pupils outside the school yard. In terms of the Independent Press Code, parental or guardian permission should have been sought before publication.
* Additionally, in cases where the publication of the picture could be harmful to the child, Independent Media's Press Code obliges Editors to obscure the face of the child in such as manner that the child cannot be recognized. The Saturday Star (IOL) did not do this and apologizes for the error.
* Accoording to the Independent Media Press Code, parties unhappy with the findings have seven days to lodge an appeal with the Chair of Appeal Panel, Judge Zak Yacoob within seven days. Judge Yakoob can be reached at Complaints@inl.co.za