

MINUTES of the COMPLAINTS COMMITTEE MEETING  
Wednesday 3 June 2015 at 10.30 a.m.  
Gate House, 1 Farringdon Street, London EC4M 7LG

Present: Sir Alan Moses (Chairman)  
Richard Best (Deputy Chairman)  
Lara Fielden  
Janet Harkess  
Gill Hudson  
David Jessel  
Matthew Lohn  
Jill May  
Elisabeth Ribbans  
Neil Watts  
Peter Wright  
Nina Wrightson

In attendance: Elizabeth Bardin (Minute-taker)  
Charlotte Dewar, Director of Operations  
Ben Gallop, Senior Complaints Officer  
Bianca Strohmann, Senior Complaints Officer  
Matt Tee, Chief Executive

The following members of the Executive were also in attendance:

Xavier Bastin  
Niall Duffy  
James Garmston  
Robyn Kelly  
Holly Pick  
Hugo Wallis

In attendance as an observer:

Anne Lapping

1. Apologies

There were no apologies recorded.

## 2. Update by the Chief Executive

The Chief Executive updated the Committee on relevant changes to the Government following the General Election, including the selection of John Whittingdale MP as Minister for Culture, Media and Sport. He announced the immediate resignation of Ros Altmann from the IPSO Board following her recent appointment to the House of Lords as Minister for Pensions.

He reported that changes to IPSO's Regulations remain under consideration, and noted that the Regulatory Funding Panel was trying to arrange a final meeting with publishers' in-house lawyers to obtain an agreement on the process of such changes.

He further reported that IMPRESS had announced that it would seek recognition as a regulator from the Press Recognition Panel, although it has no members at present.

## 3. Update by the Chairman

The Chairman commented on the effect of the General Election but noted that regardless of political scrutiny, IPSO should continue to be its own severest critic.

Referring to the outstanding proposed Regulations changes, he said he felt optimistic that IPSO would be likely to obtain the desired result.

He also expressed optimism about the future of the proposals for changes to the Editors' Code, which seemed to be designed to improve the rigour of its standards.

He believed it would be both instructive and effective to look at capturing themes that come out of the monthly Complaints Committee meetings, these meetings being the core of IPSO and its future. He added that when the Standards team was in place, it will be easier to develop and make use of the themes which emerge from the complaints process.

## 4. Update by the Director of Operations

The Director of Operations, Charlotte Dewar, presented the Committee with statistics on complaints and inquiries received by IPSO and handled by the complaints team, broken down into various groups.

She advised that the database in its early stages had had technical problems and that there were inconsistencies in the way data had been entered in the early months of IPSO's existence. She noted that was engaged in a review of the data from that period. Questions were asked about how IPSO compared at this stage with the PCC, and it was said to be difficult to make a comparison,

but that the number of complaints were slightly higher in volume. It was stated and generally agreed that the response times were good and that IPSO had an excellent record with a 1-2 day response and follow-up time, and that although the perceived ideal target for completion of individual complaints was yet to be reached, the overall results were very good.

She indicated that it was the intention now to catch inconsistencies and exercise quality control, and to ensure that the way data was recorded reflected accurately the service received by complainants. There was a considered discussion about the time given to the handling of complaints and although a speedy resolution was important, the Committee agreed that quality and thoroughness should not be sacrificed purely for the sake of a speedy outcome.

5. Minutes of the Complaints Committee Meeting held on 22 April 2015

A correction in the order and names of abstentions was advised and duly corrected in the minutes; the Committee otherwise approved and signed the minutes as a true record of the meeting on 22 April 2015.

6. Matters Arising

No matters arose.

7. Declarations of Interest

Because of his current employment at Associated Newspapers, Peter Wright absented himself for the discussions of complaint 00991-15, McIntosh v The Herald; complaint 00993-15, McIntosh v Dundee Courier; and complaint 02466-14, Yates v Mail Online.

8. Complaint 02572-15 Sturgeon v The Daily Telegraph

The Committee discussed the complaint. It noted that the memorandum of the exchange between the French Ambassador and the First Minister of Scotland was a hearsay account of a conversation at which the civil servant who drafted the memorandum was not present. Nor was it clear how many people the information been passed through. The Committee ruled that the complaint should be upheld. A copy of its ruling appears in **Appendix A**.

9. Complaint 03125-15 Portes v The Times

The Committee discussed the remedy necessary for the breach of Clause 1 (Accuracy) in this instance and concluded that the re-publication of the correction previously published by the newspaper was appropriate, with a front-page reference and a reference in the text to IPSO's ruling. It was further agreed that this decision be applied to both print and digital editions of the

publication concerned. The Committee ruled that the complaint should be upheld. A copy of its ruling appears in **Appendix B**.

#### 10. Complaint 00571-15 Thompson v Sunday Life

The Committee agreed that a poor standard of journalism had been displayed in this matter and ruled that the complaint should be upheld. A copy of its ruling appears in **Appendix C**.

#### 11. Complaint 00782-15 Goundry v East Kilbridge News

The Committee debated this matter and reached a decision. The complaint has been subject to further correspondence and as such the Committee has not yet confirmed the terms of the decision.

### **Peter Wright absented himself for Items 12 and 13**

#### 12. Complaint 00991-15 McIntosh v The Herald

After significant discussion about the extent to which information obtained from court officials and other similar sources should be checked, the Committee ruled that the complaint was upheld. A copy of its ruling appears in **Appendix D**.

#### 13. Complaint 00993-15 McIntosh v Dundee Courier

Whilst acknowledging that the publication should be commended for its declaration of intent to monitor and keep such reports under review, the Committee ruled that the complaint was upheld. A copy of its ruling appears in **Appendix E**.

#### 14. Complaints not adjudicated at a Complaints Committee meeting

The Committee confirmed its formal approval of IPSO Papers listed in **Appendix F**, all of which had been previously circulated to the Complaints Committee.

The approval of the relevant complaints was duly noted.

#### 15. Any other business

##### 15.1. Discussion paper: Application of Clause 1 (Accuracy)

The Committee discussed the application of Clause 1. It emphasised that all complaints under Clause 1 (Accuracy) must be considered on their merits, and with appropriate flexibility. It also acknowledged the importance of encouraging editors to respond promptly and fully to complaints.

Nonetheless, as a point of principle, it established that it considers Clause 1 (i) and 1 (ii) as creating distinct obligations. As such, a breach of Clause 1 may be established where the publication has failed to take care over the accuracy of published information, regardless of whether a correction has been published in compliance with Clause 1 (ii). The Committee will take into account any remedy that has already been taken or offered by a publication when determining what remedial action should be required for the breach of 1 (i).

Conversely, the Committee may not establish a breach of Clause 1 (Accuracy) where a significant inaccuracy has been published, so long as the publication has been able to demonstrate that it took sufficient care before publication over the accuracy of information published and that it dealt properly with any inaccuracies, in line with its obligations under 1 (ii).

- 15.2 The Committee discussed its approach to complaints from third parties about accuracy. The Committee agreed that when assessing whether a complainant has standing to pursue a complaint under Clause 1 from an individual who is not directly affected by the matter about which they wish to raise a complaint, the Executive should take into account the following considerations:
1. Is there a directly affected first party; does the complaint relate to a general point of fact?
  2. Is the alleged inaccuracy significant?
  3. If there is a directly affected first party, IPSO is obliged to consider the position of the first party. This can encompass a wide range of factors. IPSO may take into account the following issues:
    - How likely is it that IPSO will be able to investigate the factual position adequately? Is the material in dispute in the public domain, or would the cooperation of the individuals involved be required? If so, what is the likelihood that those individuals would cooperate with IPSO's inquiries?
    - What is the likely impact on the first party? Could an investigation and/or a published decision cause embarrassment or represent an intrusion or an infringement of the first party's freedom of expression? Could an investigation cause harm by publicising the matter?
    - Is IPSO likely to encounter legal difficulties in investigating or publishing its findings, in relation to the first party?

- o Is the first party likely to be in a position to make a fully informed decision as to whether to complain on their own behalf?

To ensure appropriate transparency about IPSO's decision-making processes, the Committee agreed that its policy on this issue would be published on IPSO's website.

15.3 Complaint 00660-15 Muller v The Daily Telegraph (IPSO Paper No. 328 tabled)

The Committee had previously considered this complaint, a revised draft of which was tabled. Following a detailed discussion, the Committee agreed the revised adjudication, and the complaint was not upheld. A copy of its ruling appears in **Appendix G**.

15.4 Complaint 01571-15 Hawk v mirror co.uk (further correspondence) (IPSO Paper No. 321 enclosed)

The Committee agreed to amend the terms of its ruling on this complaint, following a submission by the newspaper, and to inform the complainant of the change. A copy of the final ruling appears in **Appendix H**.

**Peter Wright absented himself for item 15.5**

15.5 Complaint 02466-15 Yates v Mail Online (further correspondence) (IPSO Paper No. 318 enclosed)

This complaint was originally considered by the Committee at the meeting on 22 April 2015, when it decided to uphold the complaint under Clause 3 (Privacy). The complainant then requested a review of the decision, and the Complaints Reviewer, Richard Hill, duly carried out a review. His conclusion was that the complaint should be revisited due to a perceived procedural flaw.

The Committee therefore reconsidered the complaint and reconfirmed its decision.

Following this decision, the Committee discussed whether, in fact, the Complaints Reviewer had had jurisdiction to order the reconsideration. The Committee agreed that the Chairman would write to the Complaints Reviewer on the matter.

The Committee explained that despite doubts as to the Reviewer's exercise of his powers, it had properly reconsidered the complaint on the basis that the Reviewer had the power to send the decision back for reconsideration.

Next meeting: 15 July 2015 at 10.30 a.m.

Elizabeth Bardin  
Governance Manager  
9 July 2015

## Appendix A

Decision of the Complaints Committee  
02572-15 Office of the First Minister v The Daily Telegraph

1. The Office of the First Minister of Scotland complained to the Independent Press Standards Organisation that The Daily Telegraph had breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "Sturgeon's secret backing for Cameron", published on 4 April 2015 in print and online.
2. The article reported the contents of a leaked Government memorandum which claimed to report details of a private meeting between the First Minister, Nicola Sturgeon MSP, and the French Ambassador, Sylvie Bermann, the previous week. The memorandum had been written by a senior British civil servant on 6 March, immediately following a conversation with the French Consul-General. It claimed that Ms Sturgeon had said that she would rather see David Cameron win the general election than Ed Miliband, because she believed Mr Miliband was not "prime minister material".
3. The article said that these comments undermined Ms Sturgeon's public support for a "progressive alliance" with Mr Miliband, and confirmed "growing speculation" in Scotland that the SNP privately favoured a Conservative government because it would make a vote for Scottish independence more likely in a future referendum.
4. The complainant said that the claims contained in the memorandum, and repeated by the newspaper, were categorically untrue: Ms Sturgeon had not expressed a preference for a Conservative government or any views about Mr Miliband's suitability as Prime Minister. Ms Bermann had publicly denied that Ms Sturgeon had expressed a preference for who should win the election. The complainant regarded the newspaper's decision not to contact Ms Sturgeon for comment prior to publication as a breach of Clause 1 and noted that, as the article explained, the author of the memorandum recorded that he or she had initially doubted the accuracy of the account and had checked whether there might have been a translation problem.
5. Shortly after the article's first publication online, Ms Sturgeon issued a denial of the claims, publicly and via email to the newspaper. The newspaper included the denial in its second print edition that evening, but did not add them to the online version of the article until the following afternoon.
6. The newspaper said it had confirmed the authenticity of the document with two well-placed sources before publication. It was a contemporaneous note made by an experienced civil servant, and the newspaper had no reason to doubt its accuracy. It denied having any obligation to contact Ms Sturgeon for comment before publication: it was entitled to publish an accurate account of the document.



7. The newspaper said it had included the complainant's denial at the earliest opportunity in the print article, and had immediately taken steps to have the denial added to the online article. Unfortunately, due to human error, the denial was not in fact added until the next day. The newspaper had followed up on the story, including by publishing an article reporting Ms Sturgeon's demand for an inquiry. It did not accept any breach of the Code.

#### Relevant Code Provisions

##### 1. Clause 1 (Accuracy)

i) The Press must take care not to publish inaccurate, misleading or distorted information, including pictures.

ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and - where appropriate - an apology published. In cases involving the Regulator, prominence should be agreed with the Regulator in advance.

#### Findings of the Committee

9. The memorandum did not represent a first-hand or contemporaneous account of the conversation between Ms Sturgeon and Ms Bermann. Rather, it contained – at best – a second-hand account given a week later. The newspaper had confirmed the authenticity of the document, but its sources were not in a position to comment on the accuracy of its contents.

10. The newspaper was entitled to report on the memorandum, but it was obliged to take care not to mislead readers in doing so, including regarding the status of the allegations it contained.

11. The account was contentious, so much so that the author of the memorandum had recorded concern that the account was mistaken, stating "I have to admit that I'm not sure that the First Minister's tongue would be quite so loose on that kind of thing in a meeting like that". The account's implications were serious: it suggested that Ms Sturgeon had had acted disingenuously by publicly calling for a "progressive alliance" while privately hoping for a Conservative government. Nonetheless, the newspaper had published it as fact, without having taken additional steps prior to publication – such as contacting the parties involved for their comment – to verify its accuracy.

12. The presentation of the account contained in the memorandum as fact, in these circumstances, represented a failure to take care not to mislead, and a breach of Clause 1 (i) and (ii) of the Code. The newspaper had failed to make clear that it did not know whether the account it presented was true; as

a consequence the article was significantly misleading. The complaint under Clause 1 was upheld.

### Conclusions

13. The complaint was upheld.

### Remedial Action Required

14. The Committee required the newspaper to publish an adjudication upholding the complaint. The adjudication should be published on page 2 of the print edition of the newspaper. Given the prominence of the original article, and the nature of the breach, a reference to the adjudication must be published on the front page, directing readers to page 2, which should include the headline. The headline must make clear that IPSO has upheld the complaint, and refer to its subject matter; it must be agreed in advance. It should also be published on the newspaper's website, with a link to the full adjudication appearing on the homepage for 48 hours; it should then be archived online in the usual way.

15. The terms of the adjudication to be published are as follows:

Following the publication of an article in The Daily Telegraph on 4 April 2015, headlined "Sturgeon's secret backing for Cameron", the Office of the First Minister of Scotland complained to the Independent Press Standards Organisation that The Daily Telegraph had breached Clause 1 (Accuracy) of the Editors' Code of Practice.

IPSO established a breach of the Editors' Code and has required The Daily Telegraph to publish this decision as a remedy.

The article reported the contents of a leaked Government memorandum which claimed that at a private meeting the First Minister, Nicola Sturgeon MSP, had told the French Ambassador, that she would rather see David Cameron win the general election than Ed Miliband. The memorandum had been written by a senior British civil servant a week later, after a conversation with the French Consul-General.

The article said that these comments undermined Ms Sturgeon's public support for a "progressive alliance" with Mr Miliband.

The complainant said that the claims were categorically untrue: Ms Sturgeon had not expressed a preference for a Conservative government or any views about Mr Miliband's suitability as Prime Minister. The complainant regarded the newspaper's decision not to contact Ms Sturgeon for comment prior to publication as a breach of Clause 1.

The newspaper said it had confirmed the authenticity of the document with

two well-placed sources before publication. It was a contemporaneous note made by an experienced civil servant, and the newspaper had no reason to doubt its accuracy. It denied having any obligation to contact Ms Sturgeon for comment before publication: it was entitled to publish an accurate account of the document.

The Complaints Committee noted that the memorandum represented – at best – a second-hand account given a week after the meeting, which contained the serious implication that Ms Sturgeon had been disingenuous in her public statements.

The newspaper did not know whether the account contained in the memorandum was accurate. Nonetheless, it had published this as fact, without having taken additional steps prior to publication – such as contacting the parties involved for their comment – to verify its accuracy.

The Committee established that the newspaper's presentation of the account contained in the memorandum, in this context, represented a breach of the Editors' Code.

Date complaint received: 08/04/2015

Date decision issued: 10/06/2015

## Appendix B

Decision of the Complaints Committee  
03125-15 Portes v The Times

1. Jonathan Portes complained to the Independent Press Standards Organisation that The Times had breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "Labour's £1,000 tax on families", published on 24 April 2015.

2. The article, published on the front page of the print newspaper, reported on an Institute of Fiscal Studies analysis of the main political parties' tax proposals, in advance of the General Election.

3. The complainant said that the headline and the claim in the opening sentence of the article, that "Ed Miliband would saddle every working family with extra taxes equivalent to more than £1,000," were inaccurate. The taxes and levies proposed by the Labour Party would primarily be raised from companies and the richest individuals; not only would they not affect all families equally, many families would not be materially affected by the taxes at all. Furthermore, the calculation was misleading because it related only to "working households", a statistical term for households in which all individuals of working age are in work. Spread across all households in which at least one adult was in work, the figure was approximately £600 per family.

4. The newspaper accepted that the passages complained of were inaccurate. Labour planned to raise an additional £12 billion for the Exchequer, and the newspaper had tried to make this figure more relevant to its readers by showing the amount per "working family", as defined by the Office of National Statistics (ONS). However, in doing so it had inadvertently stated that each family would face a £1,000 additional tax burden, which was untrue. The newspaper said that the error was a regrettable one, and that staff had been reminded by a senior editor of the dangers of misinterpreting statistics.

5. The newspaper published the following correction in its Corrections & Clarifications column on its Letters page (page 24 in the relevant edition) on 2 May:

We said that 'Ed Miliband would saddle every working family with extra taxes equivalent to more than £1,000' (Labour's £1,000 tax on families, April 24). This was inaccurate. The calculation assumes that the extra taxes are shared equally among what the Office of National Statistics defines as 'working households' (where all those over the age of 16 are working). In fact, as was explained elsewhere in our article, 'the bulk of Labour's tax rises will come from a raid on the richest pension pots, a 'mansion tax' on properties worth more than £2 million, the re-introduction of the 50p rate and additional levies on banks and tobacco firms'. Some of these taxes and levies will only apply to

companies, and the others will affect a small minority of families, not “every working family”, as we reported.

6. It also amended the online article and added the correction as a footnote.

7. The complainant was satisfied with the text of the correction, but not with its prominence. He said that the appropriate placement was the same as the original, inaccurate article. The newspaper should publish the headline “Correction: Labour’s £1,000 tax on families” on its front page in the same font size as the original headline, with the text of the correction below.

8. The complainant said that corrections should reach all readers of the original inaccuracy, to the greatest extent possible. “Due prominence” does not always mean “equal prominence”, but the only way of correcting a prominent front-page headline is with a front-page correction. While a correction in a column on the Letters page was acceptable in many instances, this was an exceptional case because of the nature of the inaccuracy and the timing: in the run-up to an election.

9. The newspaper said that it had established its Corrections & Clarifications column in 2013 on one of the most important and most-read pages of the newspaper, the Letters page. It listed a number of benefits of the column: it demonstrates the newspaper’s firm commitment to correcting errors; makes corrections easy to find in a place which readers will go to; allows readers to see what has been corrected from day to day; makes it easy for staff to check daily for published corrections and so avoid repeating errors; helps to ensure that corrections, once agreed, will appear in the newspaper in the approved form; and is accompanied daily by the newspaper’s complaints policy and procedures. For these reasons, this position gave corrections more prominence than they might otherwise have on a page further forward in the newspaper, the exact position of which could be variable depending on each day’s layout.

10. The newspaper rejected any assertion that the column’s positioning suggested that it was “hiding away” its corrections. It said that the Letters page has long been one of the best-read in the newspaper and that page, along with the Comment section, is the heart of the newspaper and sets it apart from its rivals. Historically, a letter to the editor was the primary way of complaining to a newspaper, and the newspaper observed that many requests for corrections and clarifications still arrive in this format today; there is an intrinsic link between corrections and letters. This link is recognised by a number of publications that choose to publish their corrections in this location. The newspaper said that the inaccuracy in this case had caused no personal harm to an individual, and the article was not wholly inaccurate, as the text of the article had set out the correct position.

#### Relevant Code Provisions

11. Clause 1 (Accuracy)

- i) The press must take care not to publish inaccurate, misleading or distorted information, including pictures.
- ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and – where appropriate – an apology published.

#### Findings of the Committee

12. While per-household or per-capita sums may be useful in some instances for illustrative purposes, the headline and first sentence of the article had gone further, suggesting that the Labour tax plan would directly impose additional taxes on “every working family”. In fact, none of the additional taxes listed in the article would directly affect all working families. Some would affect a subset, and some were directed at corporations. The correct information in this case was in the public domain and easily accessible, and the headline and first paragraph of the article were clearly inconsistent with the detail included in the remainder of the article. The way in which the newspaper characterised the findings of the IFS report represented a failure to take care over the accuracy of the article, resulting in a significant inaccuracy requiring correction.

13. Front pages are of particular importance to newspapers as they provide a publication with an opportunity to communicate with potential new readers. They are therefore valuable both commercially and editorially, as a means of expression. Further, front pages generally inform readers, using limited space, of the main news stories of that day.

14. There are circumstances in which a front-page correction may be required by the Editors’ Code, regardless of the existence of an established Corrections and Clarifications column. In deciding whether to require such a correction, the Committee must act proportionately; front-page corrections are generally reserved for the most serious cases.

15. The Committee considered whether this was one such case. In assessing the requirement for “due prominence,” the Committee takes into account both the prominence of the original article and the seriousness of the breach. In general, the Committee welcomes established corrections columns as an effective way of demonstrating a commitment to correcting errors when they occur.

16. The Committee recognised the value of publishing the correction in the newspaper’s established column; choosing to place some corrections in another part of the newspaper could undermine the advantages of having a consistent position for corrections. However, the Committee was concerned that the newspaper had prominently published material which was so plainly inaccurate. Given the nature and prominence of the original breach, the prominence of the correction was not sufficient and therefore the requirements of Clause 1 (ii) had not been met.

## Conclusions

17. The complaint was upheld.

## Remedial Action Required

18. The inaccuracy which had been established required a correction to remedy it. The newspaper had already published a correction, amended the online article, and appended the correction as a footnote. The Committee acknowledged that the newspaper had acted in good faith, attempting to remedy the inaccuracy in a way which it believed complied with the terms of the Code, and ensuring publication prior to the imminent General Election. However, the Committee had determined that this correction was not duly prominent; it therefore required further action in order to remedy the established breach of the Code.

19. The correction should now be republished in the Corrections and Clarifications column, with a reference to the correction on the front page. The front-page reference should include the word "correction" and refer to IPSO's upheld ruling. It should make clear the subject matter of the original article, and direct readers to the page on which the correction could be found; it should be agreed with IPSO in advance. The correction itself should include an acknowledgement that the correction was being republished with a front-page reference following an upheld ruling by the Independent Press Standards Organisation.

20. The Committee welcomed the amendments which the newspaper had made to the online article; however, a stand-alone correction should now also be published on the newspaper's website, with a link on the homepage. The link should remain on the homepage for a minimum of 48 hours; thereafter, the correction should be archived in the usual way. This correction should link to the amended article and make clear that it has been published following a ruling by the Independent Press Standards Organisation.

Date complaint received: 23/04/2015

Date decision issued: 11/06/2015

## Appendix C

Decision of the Complaints Committee  
00571-15 Thompson v Sunday Life

1. Rev Peter Thompson complained to the Independent Press Standards Organisation that the Sunday Life had breached Clause 3 (Privacy) and Clause 6 (Children) of the Editors' Code of Practice in an article headlined "Tyrone cleric baffled by false gay rumours", published on 3 February 2015.
2. The article reported that the complainant was "baffled" by "false rumours" that he had been cautioned by police, and also that he was homosexual.
3. The complainant said that the publication of these rumours, which were personal in nature, was a breach of his privacy. He said that he had confirmed to the newspaper prior to publication that the claims were untrue and unsubstantiated.
4. The complainant said that the newspaper had contacted him for comment prior to publication, and had contacted the Church of Ireland Press Office to confirm the identity of the journalist before returning her call. The complainant was concerned that the newspaper had sought to use his categorical denial of the allegations in that conversation as justification for circulating them further.
5. The complainant also said that it was unnecessary to mention that he had children, especially given the nature of the story; this breached Clause 6.
6. The newspaper had become aware of the rumours after being contacted by an unknown source; it then followed up on the rumours with a person who was familiar with them.
7. The newspaper said that the article was in the public interest; the complainant was a prominent local figure, and the allegation that he had a police caution was of a very serious nature. With regard to the rumours about the complainant's sexuality, the newspaper said that the complainant had willingly responded to the journalist's questions, following consultation with the Church of Ireland Press Office, and at no point said that his comments were not for publication.
8. The newspaper said that the article clearly concerned the complainant's private life, and that it would not be its usual practice to contact individuals regarding claims about their sexual orientation. However, the complainant was a prominent member of his local community, fulfilling a pastoral role, and it appeared at the time that he was the victim of a campaign. The newspaper believed that it was reasonable to conclude that the complainant wanted to take the opportunity to publicly address the claims about him.



9. The newspaper said that it had only mentioned that the complainant was a “father of three”, and did not include any of the names or ages of his children. It said that the fact that complainant had children was not private.

10. Nonetheless, the newspaper removed the article from its website as a gesture of goodwill. It also said that it had not wished to cause further distress to the complainant, and assured him that it would not report anything further about the matter, unless related criminal proceedings came before the courts.

#### Relevant Code Provisions

##### 11. Clause 3 (Privacy)

i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.

ii) Editors will be expected to justify intrusions into any individual’s private life without consent. Account will be taken of the complainant’s own public disclosures of information.

##### Clause 6 (Children)

i) Young children should be free to complete their time at school without unnecessary intrusion.

#### Public interest

4. The Regulator will consider the extent to which material is already in the public domain, or will become so.

#### Findings of the Committee

12. Details of an individual’s sexuality form part of private and family life and as such receive protection under the terms of Clause 3 of the Editors’ Code. The complainant had not publicly disclosed the details of the rumours, which were of a personal nature, and the newspaper had become aware of them only after being contacted by an unknown source. The inclusion in the article of his denial was insufficient to justify the intrusion into the complainant’s private life caused by publication of the claims, regardless of their inaccuracy. Further, the complainant’s rebuttal of the allegations in conversation with the journalist did not constitute consent for publication under Clause 3 (ii). The newspaper breached Clause 3 of the Code.

13. The claim in the article that the complainant had been cautioned by police did not relate to his private or family life; it did not raise a further breach of Clause 3.

14. In mentioning that the complainant was a “father of three”, the newspaper

did not intrude into his children's time at school. There was no breach of Clause 6.

## Conclusions

15. The complaint was upheld.

## Remedial Action Required

16. In circumstances where the Committee establishes a breach of the Editors' Code, it can require the publication of a correction and/or adjudication. The Committee required the publication of this adjudication as a remedy to the breach. The original article was published on page 7; the adjudication should be published on page 7 or further forward. A link to the adjudication should also be published on the homepage of the newspaper's website for at least 48 hours, and thereafter archived on the website in the usual way. The headline to the adjudication should include the words "IPSO complaint upheld" and make reference to the subject matter of the original article; it should be agreed with IPSO in advance. The terms of the adjudication to be published are as follows:

Following an article published in the Sunday Life on 3 February 2015, headlined "Tyrone cleric baffled by false gay rumours", Rev Peter Thompson complained to the Independent Press Standards Organisation (IPSO) that the Sunday Life had intruded into his private life in breach of Clause 3 (Privacy) of the Editors' Code of Practice. IPSO upheld the complaint and established a breach of the Editors' Code. IPSO required the Sunday Life to publish this decision by its Complaints Committee as a remedy to the breach.

The article reported that the complainant was "baffled" by "false rumours" that he had been cautioned by police, and also that he was homosexual.

The complainant said that the publication of these rumours, which were personal in nature, was a breach of his privacy. He said that he had confirmed to the newspaper prior to publication that the claims were untrue and unsubstantiated.

The complainant had been contacted for his comment prior to publication, and had contacted the Church of Ireland Press Office to confirm the identity of the journalist before returning her call. The complainant was concerned that the newspaper had sought to use his categorical denial of the allegations in that conversation as justification for circulating them further.

The newspaper had become aware of the rumours after being contacted by an unknown source; it then followed up on the rumours with a person who was familiar with them.

The newspaper said that the article was in the public interest: the complainant was a prominent local figure, and the allegation that he had a police caution was of a very serious nature. With regard to the rumours about the

complainant's sexuality, the newspaper said that the complainant had willingly responded to the journalist's questions following consultation with the Church of Ireland Press Office, and at no point said that his comments were not for publication.

The newspaper said that the article clearly concerned the complainant's private life, and that it would not be its usual practice to contact individuals regarding claims about their sexual orientation. However, the complainant was a prominent member of his local community, fulfilling a pastoral role, and it appeared at the time that he was the victim of a campaign. The newspaper believed that it was reasonable to conclude that the complainant wanted to take the opportunity to publicly address the claims about him.

Nonetheless, the newspaper removed the article from its website as a gesture of goodwill. It also said that it had not wished to cause further distress to the complainant, and assured him that it would not report anything further about this matter, unless related criminal proceedings came before the courts.

IPSO's Complaints Committee made clear that details of an individual's sexuality form part of private and family life and as such receive protection under the terms of Clause 3 of the Editors' Code. The complainant had not publicly disclosed the fact that rumours of a personal nature had been circulating about him, and the newspaper had become aware of them only after being contacted by an unknown source. The inclusion in the article of his denial was insufficient to justify the intrusion into the complainant's private life caused by publication of the claims, regardless of their inaccuracy. Further, the complainant's rebuttal of the allegations in conversation with the journalist did not constitute consent for publication under Clause 3 (ii). The newspaper breached Clause 3 of the Code.

Date complaint received: 04/02/2015

Date decision issued: 08/06/2015

## Appendix D

Decision of the Complaints Committee  
00991-15 McIntosh v The Herald (Glasgow)

1. Andrew McIntosh complained to the Independent Press Standards Organisation that the Herald had breached Clause 1 (Accuracy), Clause 2 (Opportunity to reply) and Clause 3 (Privacy) of the Editors' Code of Practice in an article headlined "Dentist wins £50,000 action after patient's false claims", published on 24 February 2015.
2. The complainant had reported his dentist to the General Dental Council (GDC), but the dentist was subsequently cleared of any misconduct. After the GDC's findings, the dentist brought defamation proceedings against the complainant. The article under complaint reported that the dentist had won his case and been awarded £50,000 in damages.
3. The complainant said that, contrary to the article's central claim, the dentist had not won his defamation case; the dentist had dropped his case in April 2014, and had been required to pay costs. Given the length of time that had passed between the conclusion of the case and publication of the article, the complainant said that for it to be revived again in this way had caused him great distress.
4. The newspaper accepted that its article was inaccurate. It said that the story had been supplied by a freelance journalist, who had reported the original proceedings in 2013. Aware that some time had passed, he contacted the Perth Sheriff Court clerk's office to check on the status of the case. The Court had told the journalist that a decree had been granted in favour of the pursuer, and confirmed that that meant it had been granted to the dentist. The Court was later unable to provide an explanation as to why the incorrect information had been provided, but it was the journalist's assumption that the clerk's office had viewed it as a decree in the dentist's favour, but had failed to note that it was a decree of abandonment. Most of the story, including the quoted allegations about the complainant's character, had been based on the findings from the original GDC hearing.
5. As soon as the journalist had realised the error and informed the newspaper, before the complainant had contacted IPSO, the newspaper had changed its online article to make clear the true position, and published the following correction in its print edition, on page 2:

"We reported on Tuesday that dentist Keith Watson had successfully sued a former patient for more than £50,000 in a defamation action. In fact, Mr Watson was granted a Minute of Abandonment and was ordered to pay £10,050 to Andrew McIntosh, the former patient. We took the original information in good faith, based on details supplied by court staff to a court reporter."

6. The complainant said that the correction had no headline distinguishing it as such, and did not include an apology. He was also concerned that the correction gave the impression that £10,050 had been paid to him directly, when in fact it had covered his costs.

#### Relevant Code Provisions

##### 7. Clause 1 (Accuracy)

i) The press must take care not to publish inaccurate, misleading or distorted information, including pictures.

ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and – where appropriate – an apology published.

iii) The press, whilst free to be partisan, must distinguish clearly between comment, conjecture and fact.

##### Clause 2 (Opportunity to reply)

A fair opportunity for reply to inaccuracies must be given when reasonably called for.

##### Clause 3 (Privacy)

i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.

#### Findings of the Committee

8. The journalist might have been entitled to rely on the original - albeit inaccurate - information provided by the Court in relation to the case. However, the article went further than reporting this basic detail. Instead, it had been presented as a contemporaneous court report, despite the fact that the proceedings it was claiming to be reporting had concluded ten months before the article was published. This demonstrated a failure to take care over the accuracy of the article. While the copy had been provided by a freelance journalist, under the Code the newspaper was responsible for the content it had published. The Committee established a breach of Clause 1 (i).

9. The newspaper had not included an apology in the correction. Clause 1 (ii) of the Code makes clear that there are circumstances in which an apology may be called for. On this occasion, where the error had been personal to the complainant and had the potential to be seriously damaging to him, an apology was required. The Committee was further concerned that the newspaper had sought to use the correction to distance itself from the error. The newspaper had

not properly complied with its obligations to correct the inaccuracy; this represented a further breach of the Code.

10. The complainant had not requested an opportunity to reply, beyond the publication of the correction. In the circumstances, there was no breach of Clause 2.

11. The Committee was satisfied that the information published in the article did not intrude into the complainant's private life, notwithstanding that the basis of the story was inaccurate. The details of the original GDC complaint were in the public domain, and their republication did not represent a breach of Clause 3.

### Conclusions

12. The complaint was upheld.

### Remedial Action Required

13. In circumstances where the Committee establishes a breach of the Editors' Code, it can require the publication of a correction and/or adjudication. The newspaper had published a correction prior to the complainant contacting IPSO; however, that correction did not include an apology, which the Committee had determined was required on this occasion. The Committee required the publication of this adjudication as a remedy to the breach. The original article was published on page 5; the adjudication should be published on page 5 or further forward. A link to the adjudication should also be published on the homepage of the newspaper's website for at least 48 hours, and thereafter archived on the website in the usual way. The headline to the adjudication should include the words "IPSO complaint upheld" and make reference to the subject matter of the original article; it should be agreed with IPSO in advance. The terms of the adjudication to be published are as follows:

Following an article published in the Herald on 24 February 2015, headlined "Dentist wins £50,000 action after patient's false claims", Andrew McIntosh complained to the Independent Press Standards Organisation (IPSO) that the Herald had published inaccurate information in breach of Clause 1 (Accuracy) of the Editors' Code of Practice. IPSO upheld the complaint and established a breach of the Editors' Code. IPSO required the Herald to publish this decision by its Complaints Committee as a remedy to the breach.

The complainant had reported his dentist to the General Dental Council (GDC), but the dentist was subsequently cleared of any misconduct. After the GDC's findings, the dentist brought defamation proceedings against the complainant. The article under complaint inaccurately reported that the dentist had won his case and been awarded £50,000 in damages.

In fact, the dentist had dropped his case in April 2014, and had been required to pay costs.

The newspaper accepted that its article was inaccurate; this was a consequence of the journalist's reliance on inaccurate information provided by the court.

As soon as the journalist had realised the error and informed the newspaper, before the complainant had contacted IPSO, the newspaper had changed its online article to make clear the true position, and published a correction in its print edition, on page 2.

The complainant said that the correction had no headline distinguishing it as such, and did not include an apology.

IPSO's Complaints Committee noted that the journalist might have been entitled to rely on the original - albeit inaccurate - information provided by the Court in relation to the case. However, the article went further than reporting this basic detail. Instead, it had been presented as a contemporaneous court report, despite the fact that the proceedings it was claiming to be reporting had concluded ten months before the article was published. This demonstrated a failure to take care over the accuracy of the article. While the copy had been provided by a freelance journalist, under the Code the newspaper was responsible for the content it had published. The Committee established a breach of Clause 1 (i).

The newspaper had not included an apology in the correction. On this occasion, where the error had been personal to the complainant and had the potential to be seriously damaging to him, an apology was required. The newspaper had not properly complied with its obligations to correct the inaccuracy; this represented a further breach of the Code.

Date complaint received: 02/03/2015

Date decision issued: 08/06/2015

## Appendix E

Decision of the Complaints Committee  
00993-15 McIntosh v The Courier (Dundee)

1. Andrew McIntosh complained to the Independent Press Standards Organisation that the Dundee Courier had breached Clause 1 (Accuracy), Clause 2 (Opportunity to reply) and Clause 3 (Privacy) of the Editors' Code of Practice in an article headlined "Dentist wins case against ex-patient", published on 24 February 2015.

2. The complainant had reported his dentist to the General Dental Council (GDC), but the dentist was subsequently cleared of any misconduct. After the GDC's findings, the dentist brought defamation proceedings against the complainant. The article under complaint reported that the dentist had won his case and been awarded £50,000 in damages.

3. The complainant said that that the dentist had not won his defamation case; the dentist had dropped his case in April 2014, and had been required to pay costs. Given the length of time that had passed between the conclusion of the case and publication of the article, the complainant said that for it to be revived again in this way had caused him great distress.

4. The newspaper accepted that the article was inaccurate. The story had been provided by a normally reliable freelance journalist, and there was nothing in the copy to indicate concern. When the journalist had become aware of the error he had contacted the newspaper, and it had published the following correction on page 5:

"In our issue of Tuesday February 24 we reported proceedings of a defamation case involving Keith Watson and Andrew McIntosh which took place at Perth Sheriff Court. We would like to make clear the case did not result in Mr Watson winning the action. He was granted a Minute of Abandonment and subsequently ordered to pay expenses to Mr McIntosh. We apologise for publishing the incorrect information and for any confusion caused."

5. The newspaper later offered to run a further correction and apology, publish a correct version of the story in the same position as the original article, or interview the complainant about the conclusion of the case. It also said that it was now keeping under review contributions from the freelance journalist concerned.

6. The complainant did not accept the offers of resolution, which he felt were insufficient given the nature of the inaccuracy.



## Relevant Code Provisions

### 7. Clause 1 (Accuracy)

- i) The press must take care not to publish inaccurate, misleading or distorted information, including pictures.
- ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and – where appropriate – an apology published.

### Clause 2 (Opportunity to reply)

A fair opportunity for reply to inaccuracies must be given when reasonably called for.

### Clause 3 (Privacy)

- i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.

## Findings of the Committee

8. The newspaper had accepted that the basis of the article was entirely inaccurate; publication of the inaccurate information had caused the complainant evident distress. The journalist might have been entitled to rely on the original - albeit inaccurate - information provided by the Court in relation to the case. However, the article went further than reporting this basic detail. Instead, it had been presented as a contemporaneous court report, despite the fact that the proceedings it was claiming to be reporting had concluded ten months before the article was published. This demonstrated a failure to take care over the accuracy of the article. While the copy had been provided by a freelance journalist, under the Code the newspaper was responsible for the content it had published. The Committee established a breach of Clause 1 (i).

9. Upon being contacted by the freelance journalist who had provided the story, the newspaper published an appropriate correction, including an apology. On this occasion, where the error had been very personal to the complainant, an apology was required. The correction clearly identified the original inaccuracy and the correct position, and was published promptly in a duly prominent position in the newspaper. There was no breach of Clause 1 (ii) of the Code.

10. The complainant had not requested an opportunity to reply, beyond the publication of the correction. In the circumstances, there was no breach of Clause 2.

11. The Committee was satisfied that the information published in the article did not intrude into the complainant's private life. The details of the original GDC

complaint were in the public domain, and their republication did not represent a breach of Clause 3.

#### Conclusions

12. The complaint was upheld.

#### Remedial Action Required

13. In circumstances where the Committee establishes a breach of the Editors' Code, it can require the publication of a correction and/or adjudication. The newspaper had published a correction and apology prior to the complainant contacting IPSO, and the Committee was satisfied that these were an appropriate remedy to the established breach of Clause 1. The newspaper was not required to publish anything further.

Date complaint received: 02/03/2015

Date decision issued: 08/06/2015

## Appendix F

Paper No.	File Number	Name v Publication
167	01807-14	A woman v Chat
175	01921-14	Hodder v Dorset Echo
185	01319-14	Hawk v Daily Mirror
186	01569-14	Hawk v Oxford Mail
188	01572-14	Hawk v Witney Gazette
194	01571-14	Hawk v Daily Mail / Mail Online
198	03096-14	Purcell v The Herald
204	01242-14	Holman v Real People
205	01255-14	Holman v Best
241	00643-15	Lemosa v Kent Online
243	03186-14	Tanswell v Frome Standard
244	01204-14 / 02140-14 / 02141-14 / 01348-14	Hope v Daily Record / Daily Mirror / Ayrshire Post / Dumfries & Galloway Standard
248	00544-15	Walker v Daily Mirror
249	00573-15	Dredger v Braintree and Witham Times
251		IPSO Complaints – Third party
252		IPSO Complaints – Request for review
262	00854-15	Wilson v Daily Record
263		IPSO Complaints – Request for review
264	02292-14	Spinks v The Sun
265	00585-15	May v Daily Mail
266	01512-15	Jon v Western Gazette
267	00716-15	Register v Daily Mail
268		IPSO Complaints – Third party
270	02462-14	Salter v The Sunday Telegraph
271		IPSO Complaints – Request for review
273	00530-15	Professional Darts Corporation v Daily Star Sunday
274	00455-15	Khalil v Wanstead & Woodford Guardian
275	00184-15	Tameez v The Sunday Telegraph
276	00668-15	Neveu v Gloucestershire Echo
277	00705-15	A man v The Spectator
280	01762-14	Kopp v Medway Messenger
281	02473-15	Dorries v Bedfordshire on Sunday
285	02412-15	Dangerfield v Sunday Herald
286	02238-15	Alouane v The Mail on Sunday

287		IPSO Complaints – Third party
288		IPSO Complaints – Request for review

## Appendix G

Decision of the Complaints Committee  
00660-15 Muller v The Daily Telegraph

1. Karl Muller complained to the Independent Press Standards Organisation that The Daily Telegraph had breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "Mobile phones unlikely to harm human health, scientists find", published on 10 December 2014.

2. The article reported on a scientific study conducted by the University of Manchester and published in the peer-reviewed Journal of the Royal Society Interface. The study had considered the effects of weak magnetic fields on flavoproteins. The article reported that the University found that "magnetic fields created by mobile phone and power lines are not harmful to human health". It said that it was previously "thought that magnetic fields could harm key proteins in the human body [but] the University of Manchester has now found that they have no detectable impact at all [having looked at] how weak magnetic fields affected flavoproteins, which are crucial to health and control the nervous system and DNA repair".

3. The complainant said that the article was inaccurate as the study did not demonstrate that mobile phones are safe. While he accepted that the article accurately reflected the information provided by the authors of the study in a press release, he said that the conclusion reached by the authors could not be supported by the findings of the study.

4. He said that the study had measured the effect of static magnetic fields on certain proteins. As it found no effect, it had concluded that mobile phones were likely to be safe. The complainant said that concerns have been raised about electromagnetic fields radiation and low-frequency magnetic fields, rather than static magnetic fields. As the study had only tested static magnetic fields, conclusions could not be drawn regarding the safety of mobile phones. The complainant also said that inferences drawn by the researchers, based on a limited study of a few proteins, had been "highly questionable".

5. The complainant said that other studies in this area had produced different results. He was concerned that the newspaper had not sought comment from independent "experts" on the subject. Nor had it investigated the funding of the research and the backgrounds of the researchers.

6. The newspaper said it was entitled to publish details of a study which had been published in a peer-reviewed journal, and did not accept that the article was inaccurate or significantly misleading. It said that the possible health effects of mobile telephones and other electronic equipment is a controversial issue and a matter of scientific debate. The newspaper had not been obliged to rehearse all the scientific literature on the topic. The article had made clear the relevant

facts of the study. It had also provided NHS advice on using mobile phones and had explained that other studies were ongoing and that more work needed to be done in this area. It made clear that prior to publication the journalists had assessed both the original study and the press release.

7. After receiving the complaint, the newspaper said that it had contacted the University and had been told that the article “was an accurate reflection of the findings of our researchers, with appropriate caveats to the findings”.

8. The newspaper said that the concerns of the complainant fell outside of scope of the Editors’ Code of Practice as it is not the role of newspapers to be the arbiter of researchers’ methodology.

#### Relevant Code Provisions

##### 9. Clause 1 (Accuracy)

i) The press must take care not to publish inaccurate, misleading or distorted information, including pictures.

ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and – where appropriate – an apology published.

#### Findings of the Committee

10. Scientific papers, and their possible implications, will often be the subject of intense and robust debate. The Committee made clear that while it is important that newspapers and magazines report scientific studies accurately, Ipso is not the appropriate body to consider concerns about the methodology employed in scientific research. There is a clear value in newspapers reporting scientific developments, and the press releases issued by those involved in studies can facilitate accurate coverage.

11. The complainant did not dispute that the article had accurately reported the conclusions drawn by the authors of the study, based on what they considered to be the possible implications of the research. Neither did the complainant contend that the newspaper had inflated the conclusions set out in the University press release. Rather, the complainant’s concern was that the article was inaccurate as the conclusions reached by the scientists could not be supported by the findings of the study. The study had been published in a scientific journal and been subject to peer review. In these circumstances, the newspaper had not been obliged to independently evaluate the validity of the authors’ conclusions or the rigour of the methodology employed. The newspaper had taken steps to ensure that the article reflected the views of the authors of the study. There had not been a failure to take care over the accuracy of the article. There was no breach of Clause 1 (i).

12. The article had quoted the co-lead author of the paper as saying that the study “definitely takes us nearer to the point where we can say that power-lines, mobile phones and other similar devices are likely to be safe for humans”. The Committee expressed some concern in this context about the claim, in the sub-headline, that “key proteins in the human body are completely unaffected by the magnetic fields of mobile phones, scientists have found” and, in the first line of the article, that “the magnetic fields created by mobile phones and power lines are not harmful to human health, the University of Manchester has found”. The article had, however, made clear that the findings represented conclusions drawn by the researchers from their laboratory study, rather than an undisputed consensus in the scientific community. It had explained the research methodology and set out the basis on which the conclusions had been reached, including the explanation that “the most plausible candidates for sensitivity” to the magnetic fields were “likely to be rare in human biology”. It had included NHS advice on mobile phone usage, said that “more work on other possible links will need to be done” and explained that other studies were on-going. The Committee concluded that there was no breach of Clause 1.

#### Conclusions

13. The complaint was not upheld.

Date complaint received: 11/02/2015

Date decision issued: 04/06/2015

## Appendix H

Decision of the Complaints Committee  
01319-14 Hawk v mirror.co.uk

1. Maddison Hawk complained to the Independent Press Standards Organisation that mirror.co.uk had breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "Accountant funded her 25k plastic surgery bill by selling fake GHD hair straighteners", published on 15 October 2014.

2. The article reported that the complainant had been convicted of fraud and had recently been fined over £8,000 after Trading Standards inspectors found that she had offered fake electrical hair appliances for sale. It also noted that she had previously spent £25,000 on cosmetic surgery, and said that she had funded the cosmetic procedures by selling faulty goods. It stated that "Oxford Magistrates' Court heard she helped to pay for her revamp by selling counterfeit GHD-branded products on Amazon through her company Perfect Strand."

3. The complainant said that she had paid for and undergone all of her cosmetic surgery prior to the incident with the faulty electrical products. She said that she had never made any money from the sale of faulty goods, as the products had been discovered by Trading Standards on an online marketplace and withdrawn from sale before any purchases had been completed. She also said that she had not been personally convicted of any charges; she had pleaded guilty on behalf of her company.

4. The newspaper had relied on agency copy for the story. It said that the complainant was the sole director of her hair extension company, which made her morally responsible for the charges for which the company had been convicted. It said that it was satisfied that the complainant's hair extension business, through which she had attempted to sell the faulty products, had helped to pay for her cosmetic surgery. The fact that money from the sale of the specific hair straighteners which had been seized by Trading Standards had not contributed to her surgery costs did not mean that a significant inaccuracy had been published. Selling hair straighteners was part of the complainant's business, and that business was being used to fund the complainant's cosmetic surgery. Nonetheless, the newspaper amended the article to remove references to the complainant having funded her cosmetic surgery through the sale of faulty goods, and to having been convicted of fraud. It also offered to append the following footnote:

"The article has been updated to make clear that Ms Hawk was neither personally charged nor convicted of fraud. It has also been amended to make clear that her cosmetic surgery was funded separately from the fake GHD straighteners which she had offered for sale."



5. The complainant said that she wanted the article to be removed from the newspaper's website.

#### Relevant Code Provisions

#### 6. Clause 1 (Accuracy)

i) The press must take care not to publish inaccurate, misleading or distorted information, including pictures.

ii) A significant inaccuracy or misleading distortion once recognised must be corrected, promptly and with due prominence, and – where appropriate – an apology published.

#### Findings of the Committee

7. The article under complaint was presented as a court report of the complainant's convictions, but it had not been stated in court that the complainant had funded her cosmetic procedures "by selling fake GHD hair straighteners". The absence of an adequate explanation for this inaccuracy in material presented as a court report demonstrated a failure to take care over the accuracy of the material on the part of the agency which provided the copy; this was a failure for which the newspaper was responsible under the terms of the Code.

8. In the Committee's view, the inaccuracy identified by the complainant was significant; the article had said that she had spent a substantial sum of fraudulently-obtained money on cosmetic surgery, when in fact the connection drawn between the crimes and the spending on cosmetic surgery had been erroneous. The article required correction under the terms of Clause 1 (ii).

9. The article had made clear that "Hawk...admitted four trademark offence charges on behalf of her company and a single offence of selling a product which breached safety regulations". The complainant is the sole director of her company. In this context, the interchangeable references to the complainant and her company elsewhere in the article were not significantly misleading; a correction was not required under the terms of Clause 1 (ii).

#### Conclusions

10. The complaint was upheld.

#### Remedial Action Required

11. Having upheld the complaint under Clause 1 (i), the Committee considered what remedial action should be required. The Committee has the power to require the publication of a correction and/or adjudication, the nature, extent and placement of which is to be determined by IPSO. It may also inform the

publication that further remedial action is required to ensure that the requirements of the Editors' Code are met.

12. The Committee considered that, given the nature of the breach of the Code and of the publication, the appropriate remedy was the publication of a correction, the nature, extent and prominence of which would be determined by IPSO.

13. In this case, in light of the fact that the article had already been suitably amended, the Committee decided that the appropriate remedy would be the publication of a correction, in the form of a footnote to the article. The Committee acknowledged that the footnote offered by the newspaper had been based on a wording suggested by IPSO's Executive. However, since that time the Committee has made clear, via its published rulings, that in order to be sufficient a correction must identify the original inaccuracy, and clarify the correct position. While the footnote offered by the newspaper had clarified the correct position, it had not clearly stated the original inaccuracy. It was not sufficient to remedy the established breach of the Code. The wording of the new correction should be agreed with IPSO in advance, and must make clear that the newspaper had not been able to substantiate its claims that the complainant had paid for her cosmetic surgery by selling faulty electrical hair appliances. In addition, the correction should acknowledge that it had been published following a ruling by the Independent Press Standards Organisation.

Date complaint received: 15/10/2014

Date decision issued: 24/03/2015