
MINUTES of the COMPLAINTS COMMITTEE MEETING
Wednesday 25 April 2018 at 10.30 am
Gate House, 1 Farringdon Street, London EC4M 7LG

Present

Alan Moses (Chairman)
Nazir Afzal
Richard Best
Janette Harkess
Gill Hudson
David Jessel
Helyn Mensah
Andrew Pettie
Neil Watts
Miranda Winram
Peter Wright

In attendance:

Charlotte Dewar, Director of Operations
Michelle Kuhler, PA and minute taker
Bianca Strohmann, Head of Complaints
Matt Tee, Chief Executive Officer
Charlotte Urwin, Head of Standards
Vikki Julian, Senior Communications Officer

Also present: Members of the Executive:

John Buckingham
Vikki Julian
Sophie Malleson
Madeline Palacz
Holly Pick
Lauren Sloan
Hugo Wallis

Observers:

Jonathan Grun, Editors' Code of Practice Committee
Rick Hill, Deputy Chairman of IPSO Board

1. Apologies for Absence

Were received from Nina Wrightson.

2. Declarations of Interest

There were none.

3. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 21 March.

4. Update by the Chairman – oral

The Chairman welcomed new Complaints Officer Thomas Moseley to IPSO.

He updated the Committee on recent events, including the success of the IPSO third lecture, given by David Spiegelhalter. He offered his thanks to Miranda Winram for chairing the event, and also thanked everyone else involved organising it, particularly Vikki Julian and Sophie Malleson.

5. Matters arising

There were no matters arising.

6. Complaint 20221-17 Clarke v The Sun on Sunday

The Committee discussed the complaint and ruled that the complaint should be upheld. A copy of its ruling appears in **Appendix A**.

7. Complaint 20516-17 Jones v The Forester

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

8. Complaint 01629-18 Champion v The Sun

The Committee discussed the complaint and ruled that the complaint should be upheld. A copy of its ruling appears in **Appendix C**.

9. Complaint 19325-17 A woman v Dover Express

The Committee discussed the complaint and ruled that the complaint should be upheld. A copy of its ruling appears in **Appendix D**.

10. Complaints not adjudicated at a Complaints Committee meeting

The Committee confirmed its formal approval of the papers listed in **Appendix E**.

11. Guidance on reporting sexual offences

The Head of Standards introduced the draft guidance and informed the Committee that the next step was to engage with editors and with organisations who support victims of sexual assault to ensure that it captured the key issues.

The Committee were invited to discuss the draft guidance.

The Committee noted the guidance.

12. Any other business

Peter Wright discussed recording some complaints as upheld in part. The Committee agreed that this was a useful way to record its decision in appropriate cases.

13. Date of Next Meeting

The date of the next meeting was confirmed as Wednesday 13 June 2018.

The meeting ended at 12:40

APPENDIX A

Decision of the Complaints Committee

20221-17 Clarke v The Sun on Sunday

Summary of Complaint

1. Stephen Clarke complained to the Independent Press Standards Organisation that The Sun on Sunday breached Clause 1 (Accuracy) and Clause 4 (Intrusion into grief or shock) of the Editors' Code of Practice in an article headlined "My hell with cheating, car killer hubby", published on 19 November 2017. The article was also published online with the headline "I'M LUCKY I GOT OUT I'm A Celebrity's Rebekah Vardy says she survived hell with cheating, car killer ex-husband".

2. The article was presented as an interview with Rebekah Vardy, who was a contestant in a new series of 'I'm a Celebrity...Get Me Out of Here!', due to commence on the day of publication. It reported that Ms Vardy had spoken for the first time of "her three marriages and the abuse she says she suffered at the hands of hubby No2 Steve Clarke". The article appeared on page 8 of the newspaper. The main image on the front page of that day's edition was of Ms Vardy, and was captioned "My hell husband by Rebekah Vardy (and it's not Jamie)".

3. The article reported that Ms Vardy had started dating the complainant, when he was her boss at a timeshare company, and reported her comment that it "quickly became a horrible relationship – I was scared of him. He'd tell me what to do, where to be and how to act". It reported Ms Vardy's comment that the complainant "made me go public" about having spent a night with a named-celebrity, "because he wanted the money". It reported that Ms Vardy married the complainant when she was pregnant by another man, and that following the child's birth the complainant made them move to Cyprus. It reported Ms Vardy's comment that after moving to Cyprus, the complainant "became violent. He cheated, he lied". It reported that the relationship continued for a further ten months before Ms Vardy "escaped back to the UK with my baby after he cheated on me". The article reported that "weeks later", the complainant was sentenced to two years' jail for causing death by reckless driving, after his car steered into the opposite lane in Paphos. It reported Ms Vardy's comment that "he got his divorce papers for unreasonable behaviour". The article concluded by reporting that the complainant had said "I was always a good husband and I never cheated on Becky or ever raised my hand to her. I am devastated two people died. It was a terrible accident". The article was accompanied by a picture of the complainant with the caption "Denial...ex Steve Clarke".

4. The complainant said that the allegations contained in the article were untrue, and without foundation; he said that he was not a celebrity and that there was no public interest in the story. He said that he found the article emotionally traumatising. The complainant said that he had never abused Ms Vardy, either mentally or physically. He said he never cheated on her. He said it was completely untrue that he had made Ms Vardy “go public” about her night with a celebrity; he said payment records would show that she was paid for this story, and kept the money herself. He said that when he married Ms Vardy, he did not know she could possibly be pregnant by another man. He emphasised that the car crash he had been involved in was an accident, that it had taken place at a dangerous junction, and had not involved him “steering into the opposite lane”.

5. The complainant said that the article misrepresented the denial, he had given the newspaper prior to publication. He said he had actually told the newspaper that he was not a public figure, and that the accusations were untrue and without foundation. The journalist then asked him if he was “devastated” about the car crash, and whether he was a “good husband”, to which he said he was.

6. The newspaper said that the article was Ms Vardy’s personal account of her former marriages. It said that it was clearly Ms Vardy’s account; all of the allegations were presented as quotes from her, and were not adopted as fact. It said that Ms Vardy was entitled to discuss what she considered to be an abusive marriage.

7. The newspaper said it was approached by Ms Vardy’s agent with the story. The story was passed to a journalist who had known Ms Vardy for some time, including when she had been in a relationship with the complainant. The newspaper said that the journalist had been aware of one or two specific incidents of violence, through having spoken to Ms Vardy about them. It said that this included the journalist having taken a phone call from Ms Vardy, while she was in Cyprus, and immediately following an incidence of violence. The newspaper said that the journalist spoke to Ms Vardy’s agent, who compared their knowledge of the complainant’s conduct. It said that the agent confirmed she knew about the incident, following which Ms Vardy had called the journalist, and that they also discussed a second specific incident of violence, which took place in the UK.

8. In relation to the allegation of infidelity, the newspaper said that in 2005, when they lived in Cyprus, Ms Vardy had heard the complainant arranging to meet another woman behind her back. It said that when she challenged him about this at the time, he was violent towards her. It said that the journalist who prepared the article under complaint had been aware of this, as immediately following the 2005 incident, Ms Vardy had called and spoken to her about it. The newspaper said that Ms Vardy then returned to the UK for a break, where she spoke to the complainant’s girlfriend on the telephone, and decided to leave him permanently.

9. The newspaper said that Ms Vardy had said that in 2004, the complainant told her that she had to sell a story to the News of the World about her night with a celebrity, because he needed to pay off debts. The newspaper said that Ms Vardy did not want to do this, but agreed after several heated conversations. It said she received a cheque from the News of the World, and that the complainant asked her for the money.

10. The newspaper said that the complainant was given an opportunity to respond to Ms Vardy's claims prior to publication, via a telephone call. The newspaper provided a recording and transcript of this telephone conversation, and said that his denial was included in the article. In this phone call, the journalist said that Ms Vardy had "spoken out about [the end of the relationship] and said that... you were abusive in the relationship...would you want to say anything?". The complainant responded to this saying "Not once have I ever raised my hand to her. Not once. Right". Later in the conversation, the journalist asked "...and her saying about the violence? Are you saying that didn't happen?", to which the complainant responded "never".

11. In response to the complaint, the newspaper provided a signed affidavit from Ms Vardy, in which she confirmed she stood by the claims reported in the article. The newspaper said that the affidavit was made under oath, and that if the issues in the complaint were to be tested in court, it would represent the highest form of evidence.

12. The complainant denied the specific incidences of violence, referred to by the newspaper in response to the complainant. He provided statements from third parties in support of his position that Ms Vardy's claims were untrue. He said that one of the specific incidences could not have taken place as described by Ms Vardy as they had moved from the property at which it was alleged to have taken place, by the date on which it was alleged to have happened. He said that there were no police reports of any incidents between them. He said that in early 2006, after a dispute while living in Cyprus, Ms Vardy flew back to England, and the relationship ended. He said that he only began his relationship with another woman after this.

Relevant Code provisions

13. Clause 1 (Accuracy)

- i) The Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text.
- ii) A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and — where appropriate — an apology published. In cases involving IPSO, due prominence should be as required by the regulator.

- iii) A fair opportunity to reply to significant inaccuracies should be given, when reasonably called for.
- iv) The Press, while free to editorialise and campaign, must distinguish clearly between comment, conjecture and fact.

Clause 4 (Intrusion into grief or shock)

In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. These provisions should not restrict the right to report legal proceedings.

Findings of the Committee

14. The article contained a series of claims about the complainant. These claims related to the complainant's conduct towards Ms Vardy, during their relationship, which ended more than ten years ago. The Committee recognised the inherent difficulty of verifying claims about one party's conduct during a relationship, and made clear it was not in the position to rule on the truth of these claims, and nothing in this ruling should be read as such a finding. However, it considered the care taken by the newspaper not to publish inaccurate information, and whether the presentation of the claims was misleading, such as to require correction.

15. The Committee first considered the care taken in publishing the claims that the complainant had cheated on Ms Vardy, that he was violent and that he was controlling. These were claims that related to the details of the relationship between the complainant and Ms Vardy. The newspaper had not simply proceeded on the basis that Ms Vardy was now making these claims; the journalist who prepared the article under complaint had in fact known Ms Vardy at the time of her marriage to the complainant, and recalled speaking to her on the telephone about an alleged incident of violence, immediately after it was alleged to have taken place. The newspaper had asked the complainant for his response to the claims that he was abusive in the relationship, violent, and that he was unfaithful, prior to publication. The complainant denied these claims, and his denial was recorded in the article.

16. The article did not present these claims as having been established by the newspaper to be fact; care had been taken in the headline and text of the article to make clear that the newspaper was reporting Ms Vardy's account. For instance, the headline of the article was in the first person. The article began "Rebekah Vardy has told how she divorced her second husband". The article was accompanied by the prominent by line: "Says Becky Vardy", and throughout the article, claims were placed in direct quotations from Ms Vardy.

17. For these reasons, the Committee considered that there was not a failure to take care in relation to the claims that the complainant had cheated on Ms Vardy, that he was violent and that he was controlling, and there was no breach of Clause

1 (i) on these points. The claims were clearly presented as Ms Vardy's, and the article made clear the complainant's position that they were not true. The Committee did not find that the article was misleading on these points, and there was no breach of Clause 1 (ii).

18. The Committee contrasted this with the care taken by the newspaper in publishing the claim that the complainant had "wanted the money and so made me go public", with the story of the night she had spent with a celebrity. The claim that the complainant had "made" his wife disclose information about her sex-life to a national newspaper, was both a specific, and serious claim about the complainant's conduct. The Committee recognised that where the claim related to discussions that took place between two people more than 10 years ago, it may be difficult to corroborate or identify evidence to support the claim. However, one step clearly available to the newspaper was to contact the complainant, to ask if his recollection matched that of Ms Vardy. Indeed, the newspaper had contacted the complainant, to ask for his response to the broader claims made by Ms Vardy.

19. The Committee has previously made clear that when it considers a newspaper's pre-publication approach to a complainant, in considering a newspaper's argument that it took sufficient care, it will not simply have regard for the fact that a complainant has been approached, but the extent to which they have actually been told the substance of an allegation, and given a substantive opportunity to respond. The newspaper had not tested the claim that the complainant had forced Ms Vardy to sell a story about having spent a night with a celebrity, by asking the complainant for his response. The newspaper was not able to show that it had taken care over the accuracy of this claim. The complaint was upheld as a breach of Clause 1 (i).

20. Ms Vardy's claim that the complainant had "made me go public", with the story of her night with a celebrity supported the wider allegation of abusive conduct. However, it was also a specific and serious claim about the complainant's conduct, and the complainant's general denial implied that he either accepted this specific claim, or at least that he had not denied it. This was not the complainant's position; in addition to his general denial, he also denied this specific claim, as would be made clear in his complaint, post-publication. The Committee considered that it was significantly misleading to report Ms Vardy's claim about the payment, without also making the complainant's position clear. The newspaper did not offer to publish a correction on this point, and the complaint was upheld as a breach of Clause 1 (ii).

21. The complainant said that that he was convicted for "causing death by accident without intention due to careless reckless or dangerous driving", and the Committee therefore considered it was not significantly inaccurate to report that he was convicted for "causing death by reckless driving"; there was not a significant difference between these charges, and no breach of Clause 1 on this point. The Committee noted the complainant's position that he had not "steered

into an opposite lane”, but that the accident had happened at a dangerous junction. However, no particular significance attached to the article’s brief description of the incident, and the Committee considered that if the article’s description was inaccurate in the manner alleged by the complainant, this was not a significant inaccuracy, such as to require a correction under Clause 1 (ii), or to demonstrate a failure to take care not to publish inaccurate information, in breach of Clause 1 (i).

22. It was inaccurate to refer to the complainant as being sentenced weeks after Ms Vardy left; he was actually sentenced around 2 years later. It was the driving offence itself that was committed around 10 weeks after she left. However, as part of an explanation of why Ms Vardy considered she had had a “lucky escape” from the complainant, the reference to the sentencing taking place “weeks later”, as opposed to the offence itself, was not a significant inaccuracy, such as to require correction under Clause 1 (ii), or to demonstrate a failure to take care not to publish inaccurate information, in breach of Clause 1 (i).

23. The statement from the complainant reported in the article was in fact a summary of his comments, which the journalist had provided to him towards the end of their telephone conversation, prior to publication. The Committee considered that the journalist’s summary did not misrepresent his comments. When the journalist provided the complainant with the summary, which ended: “I never cheated on her or raised my hand to her”, he responded saying: “Ever, and I was a good father...”. It was reasonable for the newspaper to believe that the complainant was agreeing with the journalist’s summary of his remarks. The article did not misrepresent the denial the complainant had provided, prior to publication, and this aspect of the complaint did not raise a breach of Clause 1.

24. The Committee acknowledged that the article had caused the complainant distress, but the article concerned his relationship with the complainant, which ended more than ten years before publication. This was not a case of “personal grief or shock”, such as to engage the terms of Clause 4.

Conclusion

25. The complaint was upheld.

Remedial Action required

26 The newspaper had breached Clause 1 (i) and not complied with its obligation to clarify under Clause 1 (ii). The Committee considered that the appropriate remedial action was publication of an adjudication.

27. While a preview of the article appeared on the front page, this claim that the complainant had made Ms Vardy sell her story about the night she had spent with a celebrity appeared on page 8. The adjudication should therefore be published

on page 8, or further forward. The adjudication should appear beneath a headline, which makes clear that IPSO has upheld the complaint, identifies the publication by name, and refers to the subject matter of the complaint. It should be agreed with IPSO in advance.

28. The adjudication should also be published on the publication's website, with a link to the full adjudication (including the headline) appearing in the top 50% of stories on the publication's website for 24 hours; it should then be archived in the usual way. In relation to the online version of the article, if the newspaper intends to continue to publish the article without amendment to make clear the complainant denies making Ms Vardy sell the story, the full text of the adjudication should also be published on the same page as the article, beneath its headline. If amended, a link to the adjudication should be published with the article, explaining that it was the subject of an IPSO adjudication, and noting the amendments made.

29. The terms of the adjudication for publication are as follows:

Stephen Clarke complained to the Independent Press Standards Organisation that The Sun on Sunday breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "My hell with cheating, car killer hubby", published on 19 November 2017. The complaint was upheld, and The Sun on Sunday has been required to publish this adjudication.

The article was an interview with Rebekah Vardy, in which she made a number of allegations about the complainant, her ex-husband. One of these claims was that he "made me go public" about having spent a night with a celebrity, "because he wanted the money". The article did not include any response to this specific allegation from the complainant, although it did report his denial of the other claims made about him.

The complainant said that the claim he had made Ms Vardy "go public" about having spent a night with a celebrity, was completely untrue.

The newspaper said that the article was clearly Ms Vardy's account, and she was entitled to discuss what she considered to be an abusive marriage. It said that it had given the complainant the opportunity to respond to the claims, and reported his response in the article. In response to the complaint, it provided an affidavit from Ms Vardy stating her account of the relationship.

IPSO's Complaints Committee found that the complainant was never asked for his response to the serious and specific claim that he had made her sell a story about having spent a night with a celebrity. This was a failure to take care not to publish inaccurate or misleading information, and no offer was made to publish a correction, making clear the complainant denied this specific claim. The complaint

was upheld as a breach of Clause 1, and The Sun on Sunday was required to publish this adjudication as a remedy.

APPENDIX B**Decision of the Complaints Committee****20516-17 Jones v The Forester****Summary of Complaint**

1. Sarah Jones complained to the Independent Press Standards Organisation that The Forester breached Clause 1 (Accuracy), Clause 4 (Intrusion into grief or shock) and Clause 5 (Reporting Suicide) of the Editors' Code of Practice in an article headlined "Mental health worker refused help for his own depression", published on 6 December 2017.
2. The article reported that an inquest had concluded that the complainant's late husband had taken his own life. It described the location in which he was found and specified the ligature which he had used to end his life by hanging. It also reported details of previous attempts which the complainant's husband had made to end his life; it said that he had been found "after initially trying to hang himself" with another item.
3. The article reported evidence heard at the inquest; it said that the complainant had told the court: "I asked him if we got help would he take it. He said he would but he didn't". The article also contained a photograph taken on the day of her husband's death in July which showed emergency services who had attended the incident, parked on the side of the road.
4. The complainant said the article included a level of detail about her husband's suicide which was excessive, and was insensitive. The complainant said that the publication of the photograph was insensitive because it brought back an upsetting moment.
5. The complainant said that the second item referred to in the article had been found at the scene, and that the inquest heard that her husband had previously made an aborted attempt at suicide with this item the same day. However she said that this had not been an attempt to "hang himself". The complainant further said that the evidence quoted in the article had been incorrectly attributed to her; it was her father who had given this evidence.
6. The newspaper said that it understood how distressing articles of this nature can be for the families of the people who have died. It said that as a matter of policy, it did not publish suicide stories at the time of the incident: it only reported such cases when they are heard at the Coroner's Court.
7. The newspaper said that the article did not contain excessive detail of the method of suicide used by the complainant's husband, and said that the detail published would not lead to simulative acts. It said that a death by hanging normally implies

some sort of ligature to have been used; the report did not reveal how either of the ligatures had been secured, or applied, but just stated that they had been used.

8. The newspaper said that there was a public interest in reporting on the circumstances of Mr Jones' death. It said that on the day of his death there had been an unprecedented number of emergency services personnel in attendance, which drew public attention. It said that it received a number of calls from the public over the subsequent days asking what the incident was; these calls had been prompted by rumours within the community regarding how Mr Jones had died. The newspaper said that there was a specific public interest justification in reporting exactly what had happened to Mr Jones and to dispel the above rumours, with the information disclosed via the Coroner's Court hearing.
9. The newspaper said it was accurate to report that Mr Jones had made an earlier attempt to end his life with another item, by hanging. It provided a transcript of the reporters notes which detailed police evidence which referred to this item: "aborted attempt with the [item] which was also found at the scene" and "he had tried the [item] first." The transcript also recorded that the Coroner in her summary had said "He (Mr Jones) had tried another method with [item] earlier that day."
10. The newspaper was unable to provide reporter's notes of the inquest to clarify who had made the statement attributed to the complainant in the article. The newspaper, instead approached a representative from a suicide support charity, who had attended the inquest. These notes demonstrated that when the complainant had been giving evidence, as part of that evidence, she had quoted a statement made by her father. Having established the correct position, the newspaper offered to publish the following wording in its established corrections and clarifications column, on p. 2:

In an article published in the Forester on December 6, 2017 the newspaper stated that as part of Sarah-Jane Jones' evidence into her husband Marc's death we attributed the quote: "I asked him if we got help would he take it. He said he would, but he didn't."

It has been pointed out that Mrs Jones was in fact quoting her father and did not make the statement herself.

The Forester is happy to clarify the situation and apologises for any upset this error might have caused.

11. The newspaper said that it was entitled to photograph the incident unfolding, having been invited to do so by the police. It said that the picture was published because of the level of public interest originally shown in the incident in July.

Relevant Code Provisions

12. Clause 1 (Accuracy)

i) The Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text.

ii) A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and — where appropriate — an apology published. In cases involving IPSO, due prominence should be as required by the regulator.

Clause 4 (Intrusion into grief or shock)

In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. These provisions should not restrict the right to report legal proceedings.

Clause 5 (Reporting Suicide)*

When reporting suicide, to prevent simulative acts care should be taken to avoid excessive detail of the method used, while taking into account the media's right to report legal proceedings.

The Public Interest

There may be exceptions to the clauses marked * where they can be demonstrated to be in the public interest.

1. The public interest includes, but is not confined to:

- Detecting or exposing crime, or the threat of crime, or serious impropriety.
- Protecting public health or safety.
- Protecting the public from being misled by an action or statement of an individual or organisation.
- Disclosing a person or organisation's failure or likely failure to comply with any obligation to which they are subject.
- Disclosing a miscarriage of justice.
- Raising or contributing to a matter of public debate, including serious cases of impropriety, unethical conduct or incompetence concerning the public.
- Disclosing concealment, or likely concealment, of any of the above.

2. There is a public interest in freedom of expression itself.

3. The regulator will consider the extent to which material is already in the public domain or will become so.

4. Editors invoking the public interest will need to demonstrate that they reasonably believed publication - or journalistic activity taken with a view to

publication – would both serve, and be proportionate to, the public interest and explain how they reached that decision at the time.

Findings of the Committee

13. The Committee first wished to express its condolences to the complainant and her family for their loss.
14. The purpose of Clause 5 is to prevent the publication of material which might lead to imitative acts. The Committee acknowledged that in cases involving suicide, newspapers are required to make difficult judgments as to which of the details, heard during the course of inquest proceedings, it will publish. Whether particular details are excessive will depend on the circumstances of each case and the Committee acknowledged the careful consideration which the newspaper had given to the level of detail contained in the article, prior to publication.
15. In this case, the article had specified the ligature which the complainant's husband had used to end his life. The publication of the precise material which Mr Jones had been used as a ligature identified that a readily available item within the home had been used to end his life. The Committee considered in detail the disclosure of this information. The newspaper had argued that there was a public interest in reporting the circumstances surrounding the complainant's husband's death, in order to address the rumours which had been present within the community at the time of his death. The Committee recognised that there is a public interest in newspapers reporting on inquest proceedings. However, the newspaper had not advanced a justification for specifying the ligature which the complainant's husband had used, nor was there any justification in the article as to why this item had been specified. The publication of the ligature which had been used was excessive and presented the possibility that it might lead to simulative acts. The complaint was therefore upheld as a breach of Clause 5.
16. The Committee then turned to consider the complaint under Clause 1. While giving evidence at the inquest, the complainant had recalled a statement which had been made by her father, but the article had misattributed her father's words to her. The Committee were concerned by this error, particularly as it had occurred in an inquest report, and given the sensitivity of the subject matter. However, it was the case that the statement had formed part of the complainant's oral evidence, and while these words had originally been spoken by her father, there was no dispute that, save for the attribution, the evidence heard by the inquest had been reported accurately. In those circumstances, the Committee did not consider that, by attributing these words to the complainant, the article was significantly inaccurate or misleading. While this unfortunate misattribution did not represent a breach of Clause 1, given the sensitivity of the complaint, the Committee welcomed the newspaper's offer to publish a clarification making clear who had said the words.
17. The transcript of the reporter's notes had recorded that the coroner had referred to a previous "aborted attempt" by the complainant's husband to end his life using another item. The Committee were concerned that the newspaper had been

unable to demonstrate that it had taken care over the claim that he had used this item to attempt to end his life by “hanging”, in breach of Clause 1(i). The transcript of the reporters notes had demonstrated that the article had contained a clear misunderstanding of the evidence heard at the inquest: no finding had been made by the coroner in relation to the method by which the complainant’s husband had used this item. However, in these particular circumstances, the Committee declined to make a further finding under Clause 1(ii). There was no public interest in requiring the publication of a correction which would result in the identification of excessive detail of the method used to attempt suicide.

18. The article was an inquest report in which the details heard had been published in a factual and non-sensational way. The photograph accompanying the article had shown emergency services attending the scene; it did not disclose information regarding the circumstances surrounding the complainant’s husband death, nor did it disclose information relating to his close family members. In those circumstances, the Committee concluded that publication had not been handled insensitively, and there was no breach of Clause 4.

Conclusions

19. The complaint was upheld in part.

Remedial Action Required

20. Having upheld the complaint in part, the Committee considered what remedial action should be required.
21. The newspaper had published excessive detail regarding the method of suicide in breach of Clause 5. In such circumstances, the appropriate remedy was the publication of an adjudication.
22. As the breach of the Code had appeared on p. 4 of the print edition, the Committee decided that the adjudication should be published on p. 4 or further forward.
23. The headline to the adjudication should make clear that IPSO has upheld the complaint, give the title of the newspaper and refer to the complaint’s subject matter. The headline must be agreed with IPSO in advance.
24. The terms of the adjudication for publication are as follows:

Sarah Jones complained to the Independent Press Standards Organisation that The Forester breached Clause 5 (Reporting Suicide) of the Editors’ Code of Practice in an article headlined “Mental health worker refused help for his own depression”, published on 6 December 2017. The complaint was upheld, and IPSO has required The Forester to publish this decision as a remedy to the breach.

The article reported that an inquest had concluded that the complainant's late husband had taken his own life, and specified the ligature which he had used to end his life by hanging.

The complainant said the article included a level of detail about her husband's suicide which was excessive, and was insensitive.

The newspaper said that it understood how distressing articles of this nature can be for the families of the people who have died. It believed that the article did not contain excessive detail of the method of suicide used by the complainant's husband, and said that the detail published would not lead to simulative acts.

The Committee decided that the publication of the precise material which the complainant's husband had been used as a ligature identified that a readily available item within the home had been used to end his life. The Committee recognised that newspaper's play an important public function in reporting on inquest proceedings. However, the newspaper had not advanced a specific public interest justification in specifying the ligature which the complainant's husband had used, nor was there any justification in the article as to why this item had been specified. The publication of the ligature which had been used was excessive and presented the possibility that it might lead to simulative acts. The complaint was therefore upheld as a breach of Clause 5.

APPENDIX C

**Decision of the Complaints Committee
01629-18 Champion v The Sun**

1. Sarah Champion MP complained to the Independent Press Standards Organisation that The Sun breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "Mum jibe at PM", published on 16 February 2018.
2. The article reported that the complainant had "sparked fury...by suggesting that Theresa May doesn't fully understand the issue of child abuse as she is not a mum". It said that the complainant had told The House magazine that David Cameron "got it and I think he got it because I went to him as a dad rather than as a politician...so, we engaged with him on that level, which is why he then crusaded as a dad". She had then said "Theresa May was great when she was Home Secretary then as soon as she shifted to PM it's dropped off the radar. It's clearly not a priority for them". The article under complaint said that female Conservatives had "demanded [the complainant] say sorry for smearing the PM". The piece appeared with the sub-headline "Labour MP: Childless May doesn't 'get' abuse of kids".
3. The article was published in a similar form online with the headline "'Low blow' Labour MP Sarah Champion says Theresa May 'doesn't fully understand child abuse' because she's not a mum". One of the photo captions said that the complainant had "come under fire for saying the PM 'doesn't get child abuse as she's not a mum' in an interview...".
4. The complainant said that the newspaper had inaccurately reported that she had criticised Theresa May for not being a mother. It had taken two unrelated statements, which she had made to The House magazine about David Cameron and Theresa May, and had made a wholly unsubstantiated inference and had attributed it to her.
5. The newspaper did not consider that its article had given a misleading impression of the complainant's comments. It had based its article on a press release issued by The House magazine in relation to its interview with the complainant. The press release had emphasised the comparison the complainant had made between David Cameron "as a father" and Theresa May, who was not a parent. The press release had summarised the key points the complainant had made in the interview in bullet points. The relevant bullet point said:
 - *Claims David Cameron understood the need to take on child sexual abuse because he is a father – and said the issue has dropped off Theresa May's "radar".*

6. The newspaper considered that the interview had only one meaning: that the complainant believed that Mrs May was less committed to tackling child abuse than David Cameron, and this was because she did not have children herself.
7. The newspaper noted that in reference to David Cameron, the complainant had said:

I think he got it because I went to him as a dad rather than going to him as a politician... we engaged with him on that level, which is why he then crusaded as a dad, wanting it for other people's children.

It said that the complainant had then commented that the issue of child abuse had "dropped off Mrs May's radar". It said that these comments had been accurately reported in the article to allow readers to fully understand what had been said.

8. The newspaper said that several MPs, who were quoted in the article, had interpreted the complainant's comments in the same way, and had seen them as criticism of the Prime Minister's understanding of the problem of child abuse, in direct comparison to David Cameron, who had reacted as a father. It also noted that several other publications had reported the interview in a similar way.
9. While it did not accept that the article was inaccurate or misleading, for the sake of clarity, the newspaper offered to amend the online headline to read "Child abuse has dropped off the PM's radar". It also offered to publish the following clarification online:

An article headlined "Low Blow" (16 Feb), reported comments made by Sarah Champion MP that the issue of child abuse had "dropped off the [government's] radar". Ms Champion has asked us to clarify that while she did say that David Cameron had "got" the issue of child abuse because he was a father and contrasted that to PM Theresa May's not prioritising the issue, she did not intend or expect people to understand from this that Mrs May was not prioritising child abuse because she is not a mother.

10. The complainant said that the press release to which the newspaper had referred included no reference to Theresa May as a mother; the only mention she had made of Theresa May during the interview was to praise the work she had done as Home Secretary. In the interview she had said:

Theresa May was great when she was Home Secretary and then as soon as she shifted to PM it's dropped off the radar. It's clearly not a priority for them. It's someone else's problem.

11. The complainant did not accept the newspaper's offer as a resolution to her complaint as the newspaper had not apologised or accepted that it had attributed a comment to her which she had not made.

Relevant Code provisions

12. Clause 1 (Accuracy)
 - i) The Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text.

- ii) A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and — where appropriate — an apology published. In cases involving IPSO, due prominence should be as required by the regulator.
- iii) A fair opportunity to reply to significant inaccuracies should be given, when reasonably called for.
- iv) The Press, while free to editorialise and campaign, must distinguish clearly between comment, conjecture and fact.

Findings of the Committee

13. During her interview with The House magazine, the complainant had said that David Cameron had understood the importance of tackling child abuse because he was a father, and she had drawn a contrast with Theresa May who, in the complainant's view, had not prioritised the matter. The Committee understood that the newspaper had interpreted this as a criticism of Theresa May based on the fact she was not a mother. However, the complainant had not said that the issue had fallen off Theresa May's "radar" because she was not a parent. In fact, she had not suggested any reason for Mrs May's response to the matter, and she had noted that Mrs May had been "great" on the issue as Home Secretary.
14. The complainant's comments had been accurately reported in the article. However, the print headline with its subheading had suggested that she had specifically insulted the Prime Minister in a way that related to her not being a parent. The headline to the online article went further and had directly attributed the comments to the complainant. This was also emphasised in one of the online captions, which had stated that the complainant had "come under fire for saying the PM 'doesn't get child abuse as she's not a mum' in an interview..."
15. The Committee noted the newspaper's position that other newspapers and MPs, including those quoted in the article, had interpreted the complainant's comments as criticism of Theresa May based on the fact she was not a parent. It made clear that the newspaper had been entitled to publish these interpretations of the comments, as well as its own, provided that these views were clearly distinguished from fact. However, the headlines to the print and online articles had not been set out as interpretation or comment: they had claimed that the complainant had specifically criticised the Prime Minister on the grounds that she was not a parent.
16. The Committee concluded that the complainant's comments had been distorted in the headlines; they were not supported by the text. This represented a failure to take care over the accuracy of the article in breach of Clause 1 (i). The headlines had given the significantly misleading impression that the complainant had made a very personal criticism of Theresa May. A correction was therefore required in order to avoid a breach of Clause 1(ii).
17. The newspaper had offered to amend the online headline, and to append a clarification. The wording offered set out the complainant's position that her comments should not have been interpreted as criticism of Theresa May for not being a mother. However, the Committee did not consider that the wording had properly identified and corrected the inaccuracy: that the complainant had not attributed her concern that the issue of child abuse had fallen from the government's "radar" to the fact that Theresa May had no children. In addition,

the newspaper had failed to offer to publish a correction in print. This represented a breach of Clause 1(ii).

18. The Committee also considered whether the newspaper should have offered to publish an apology for the purposes of Clause 1(ii). It noted that the complainant's comments had been made in a political context, and it did not wish to prevent publications from presenting their understanding or interpretation of political speech. It also noted that the newspaper's interpretation of the comments had been shared by others; and that the full comment had been included in the article. While the Committee had ruled that in this instance the newspaper had gone too far and had misleadingly suggested that its interpretation of the comments had represented a literal summary of the complainant's words, in these circumstances an apology was not appropriate.

Conclusion

19. The complaint was upheld.

Remedial action required

20. In circumstances where the Committee establishes a breach of the Editors' Code, it can require the publication of a correction and/or an adjudication, the nature, extent and placement of which is determined by IPSO.
21. The newspaper had offered to publish a clarification online, but the wording had not identified the inaccuracy and a correction had not been offered in print. This had breached Clause 1(ii).
22. The newspaper had been entitled to take a view on what the complainant had meant by her comments. While her actual words had been distorted in the headlines and in one of the online photo captions, they had been properly set out in the article itself. The Committee did not consider that the inaccuracy was so significant that the newspaper should be required to publish an adjudication. The Committee concluded that the publication of a correction was appropriate.
23. This correction should appear in the Corrections column, which appears on page two of the newspaper, and at the top of the article as it appears online. The correction should state that it has been published following an upheld ruling by the Independent Press Standards Organisation, and it should make clear that the complainant had not said that the Prime Minister had not understood child abuse issues because she was not a parent. The full wording should be agreed with IPSO in advance.

APPENDIX D**Decision of the Complaints Committee
19325-17 A woman v Dover Express****Summary of Complaint**

1. A woman complained to the Independent Press Standards Organisation that the Dover Express breached Clause 1 (Accuracy), Clause 2 (Privacy) and Clause 6 (Children) of the Editors' Code of Practice in an article headlined "Tragic tot swallowed mum's methadone dose and died", published on 26 October 2017.
2. The article reported on an anonymised Serious Case Review, published by a Children's Safeguarding Board which focussed on the events leading up to the death of a young child. The article had identified the deceased child and her mother as being the subject of the safeguarding report which had set out the historical interactions between the woman's family and a range of agencies. The article also identified the street address at which the child died, and said that the child had been the youngest of five children.
3. The article had identified the deceased child as being the youngest of five children and had highlighted "more than ten opportunities" for agencies to intervene in the care of the children, their failure to act prior to the death of the youngest child, and lessons that could be learnt for the future. The article detailed the concerns raised in relation to the woman's care of her children, dating back to "1988" including issues raised before the birth of the deceased child, and information relating to the children's emotional wellbeing, behaviour and medical care as well as one child's school attendance record. It detailed examples of all the children having been exposed to "neglect", as set out in the Serious case Review, including examples of the children being found in significant distress. The article also explained that concerns had been raised from a variety of sources relating to the children's emotional wellbeing, behaviour and medical care. The article said the safeguarding report had concluded by criticising the relevant authorities, and had found that "not enough was done to raise concerns" over the child and their siblings' "neglect".
4. The article explained that the Serious Case Review had recommended that "all agencies should review their internal safeguarding supervision practices as a result of this case in order to "ensure that they provide critical reflection, robust challenge, risk review and support to staff when dealing with families. The article also reported a statement from an NSPCC spokesperson: "While no-one could have predicted this toddler's tragic death, it is clear there were a series of missed opportunities in identifying the harm [they] were exposed to. "The review raises concern over the assessment of risk surrounding the child and it is now important that all its recommendations are swiftly acted on. The child must always be at the heart of decisions that professionals make in these situations and lessons must be learned from this report".

5. The article also appeared online on kentnews.live in substantively the same format on 18 October under the headline "More than 10 opportunities were missed to save a toddler in Dover who died after she swallowed her mother's methadone".
6. The complainant, the custodial guardian of the four children, said that by identifying the children's mother, as well as their youngest sibling as being the subject of the anonymised Serious Case Review, the article had identified the other children, three of whom shared the surname of the deceased child. She said that this was intrusive and unjustified.
7. The complainant said that the article had inaccurately reported that concerns relating to the children's mother had dated back to 1988 when, in fact, the Safeguarding report had said that agencies were known to be involved with the family since 1998; she said that this significantly misrepresented the timeline of the woman's interactions with safeguarding services. The complainant also said that the Serious Case Review contained inaccuracies which were repeated in the article. Specifically, she disputed the claims that four of the children had been born outside a hospital setting, that they had missed medical appointments, and that they had all required medical treatment after birth.
8. The newspaper did not accept a breach of the Code. It said that the mother's conviction in relation to the death of her child had been an extremely high profile case within the local area. It also said the precise circumstances surrounding the death of the child had been distinctive and unusual and the factual circumstances had been detailed at length in the Serious Case Review.
9. The newspaper noted that no reporting restrictions had been imposed during the criminal proceedings following the youngest child's death which would prohibit the media from naming either the mother or the child. It denied that the other siblings were identifiable from the article, or that the information which was published represented an intrusion into the children's private life or their time at school. The publication said that it had taken steps to protect the identity of the siblings by removing identifying details included in the safeguarding report, including their ages and current living arrangements. It noted that, in court, reporters had asked if the woman could be referred to as a 'mother of five' and this had been permitted.
10. The newspaper said that there was a public interest in examining the way publicly funded social services work, their mistakes and what improvements could be made. The fact that the Children's Safeguarding report had chosen to conduct a Serious Case Review into events leading up to the child's death showed that there were serious concerns to be considered. It said that the article had highlighted many safeguarding failures which may have contributed to the child's death; it said that the article was not about the family's perceived failings, but rather, it addressed the possible shortfalls in safeguarding which may have led to the death of a young child. The newspaper said reporting on this was of significant public interest.

11. The newspaper said that the article was an accurate report of a Serious Case Review which was in the public domain. While the newspaper noted that the published report had anonymised the child and their mother, it said that it had been placed within the public domain and the facts surrounding the child's death had been so unusual, it was journalistically unfeasible and unrealistic not to connect the serious case review to the previous court case. It said that the mother's conviction had been heavily publicised and the woman and deceased child had been widely named at that time, and their address had been published.
12. The newspaper acknowledged that the date at which concerns were first raised by safeguarding authorities had been misreported. It said that this typographical error was immediately amended when it was brought to the publication's attention, and a footnote was added to the online article as follows:

A previous version of this article stated that 'Several causes for concern were outlined dating back to 1988'. We would like to make clear that this should have in fact stated 1998, and has now been amended.
13. The newspaper also offered to publish a similar clarification on page four of the print edition.
14. The publication said that it was reasonable to rely on the accuracy of the Serious Case Review. However, it said that it would be happy to amend any inaccuracies should the Safeguarding Children's Board make any changes to the report.

Relevant Code Provisions

15. Clause 1 (Accuracy)

- i) The Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text.*
- ii) A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and — where appropriate — an apology published. In cases involving IPSO, due prominence should be as required by the regulator.*
- iii) A fair opportunity to reply to significant inaccuracies should be given, when reasonably called for.*

Clause 2 (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.*
- iii) It is unacceptable to photograph individuals, without their consent, in public or private places where there is a reasonable expectation of privacy.*

Clause 6 (Children)

- i) All pupils should be free to complete their time at school without unnecessary intrusion.*
- ii) They must not be approached or photographed at school without permission of the school authorities.*
- iii) Children under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.*

The Public Interest

There may be exceptions to the clauses marked * where they can be demonstrated to be in the public interest.

1. The public interest includes, but is not confined to:
 - Detecting or exposing crime, or the threat of crime, or serious impropriety.
 - Protecting public health or safety.
 - Protecting the public from being misled by an action or statement of an individual or organisation.
 - Disclosing a person or organisation's failure or likely failure to comply with any obligation to which they are subject.
 - Disclosing a miscarriage of justice.
 - Raising or contributing to a matter of public debate, including serious cases of impropriety, unethical conduct or incompetence concerning the public
 - Disclosing concealment, or likely concealment, of any of the above.
2. There is a public interest in freedom of expression itself.
3. The regulator will consider the extent to which material is already in the public domain or will become so.
4. Editors invoking the public interest will need to demonstrate that they reasonably believed publication - or journalistic activity taken with a view to publication - would both serve, and be proportionate to, the public interest and explain how they reached that decision at the time.
5. An exceptional public interest would need to be demonstrated to over-ride the normally paramount interests of children under 16.

Findings of the Committee

16. The article had included highly sensitive information about the four children on whose behalf the complaint had been made, including about their emotional and physical wellbeing, their upbringing and ability to integrate within society, and their relationship with their mother. This information clearly related to their private life and had the potential to be intrusive. The article had named the children's mother and the child who had died. By virtue of this, the woman's remaining children were identifiable as being the subject of the Serious Case Review to those who knew them.

17. This had the clear potential to intrude into the children's private lives, and their time at school. An exceptional public interest was required justify publication of this material.
18. The purpose of a Serious Case Review is to analyse how and why a tragic incident such as the death of the children's youngest sibling had happened, with the aim of learning lessons so that it can be prevented from happening again. Publicity about the conclusions of a Serious Case Review is an essential part of this process. It enables the public to hold to account those charged with keeping children safe.
19. In this instance, the Serious Case Review found that there had been missed opportunities to intervene over the course of many years, even before the child's birth. It was necessary, in order to identify the gravity of these alleged failings, to detail concerns of serious neglect within the family which the authorities had failed to act upon. The key factual context was that the mother had four older children, and that no action had been taken in relation to concerns raised about their welfare, a number of years before the youngest child had died. The Serious Case Review had been produced to provide critical reflection, draw out lessons and safeguard for other children in similar circumstances in the future. The reporting of the precise nature of the children's "neglect", and the impact upon them, enabled the newspaper to scrutinise the extent of the agencies alleged failings and hold them to account.
20. This was an exceptional public interest, which justified the publication of details from the report. There was also a specific public interest in identifying the mother and the child, so that the public were able to understand the specific tragic consequences of the alleged failings, in the context of previous reporting of the criminal proceedings relating to the death of the child. This public interest was sufficient to justify to justify the specific intrusions identified in this case. There was no breach of Clause 2 or Clause 6.
21. The complainant had said that the article had repeated a number of alleged inaccuracies included in the Serious Case Review. The newspaper was not responsible for the content of the Report, and the information in the report was clearly attributed to the Review. The newspaper was entitled to rely on the Report, and there was no failure to take care over the accuracy of these claims, and therefore no breach of Clause 1 (i). The Committee did not establish that the article included any significant inaccuracies requiring correction under the terms of 1(ii). Nonetheless, given the sensitive circumstances of the case, it welcomed the publication's undertaking to correct any information which the Safeguarding Children Board might later concede to be inaccurate.
22. The newspaper had misreported the year that agencies were known to have first been involved with the family. The Committee welcomed the newspaper's decision to promptly amend the online article and to append a footnote accordingly. However, the Committee did not consider that this typographical error had given rise to a significantly misleading impression. The article had made clear the nature of the concerns raised in the Serious Case Review. While the typographical error

was unfortunate, it did not constitute a failure to take care over the accuracy of the report or a significant inaccuracy, in the context of the article. There was no breach of Clause 1 on this point.

Conclusion

23. The complaint was not upheld.

APPENDIX E

Paper No.	File Number	Name v Publication
1268	18938-17	Johnson v The Sun
1277	20562-17	Versi v dailystar.co.uk
1278	19509-17	Nokes v The Sunday Times
1298	20560-17/20926-17	Salmond v Sunday Mail/Daily Record
1304	20563-17	Versi v The Sunday Times
1309		Request for review
1310	01071-18	Mander v Maidenhead Advertiser
1312	18693-17	Ward v The Mail on Sunday
1313		Request for review
1314	01450-18	Note to Committee – Carr v thesun.co.uk
1316	00974-18	Vosper v The Times
1322	20795-17	Graham v Mail Online
1325	20797-17	Graham v thesun.co.uk
1327	02220-18	Note to Committee – Muslim Council of Britain v Mail Online
1328	20364-17	Taylor v Huddersfield Daily Examiner
1329	20559-17	Disley v Liverpool Echo
1330	19577-17	Campaign Against Anti-Semitism v Telegraph.co.uk
1331		Request for review
1337		Request for review