
MINUTES of the COMPLAINTS COMMITTEE MEETING
Wednesday 18 December 2019 at 10.30am
Gate House, 1 Farringdon Street, London EC4M 7LG

Present

Sir Alan Moses (Chairman)
Richard Best
Nazir Afzal
Andrew Brennan
Lara Fielden
Janette Harkess
David Hutton
Helyn Mensah
Mark Payton
Andrew Pettie
Miranda Winram
Peter Wright (Items 11-16)

In attendance:

Charlotte Dewar, Director of Operations
Michelle Kuhler, PA and minute taker
Matt Tee, Chief Executive
Lauren Sloan, Joint Head of Complaints

Also present: Members of the Executive:

Katrina Bell
Rosemary Douce
Hanno Fenech
Darryl Garvey
Alice Gould
Sophie Malleson
Thomas Moseley
Sean Sutherland

Observers:

Lord Edward Faulks QC
Jonathan Grun, Editors' Code Committee

1. Apologies for Absence

There were no apologies.

2. Declarations of Interest

Peter Wright declared an interest in items 6 to 10 and did not attend the meeting until after these items were dealt with.

3. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 13 November.

4. Update by the Chairman – oral

The Chairman informed the Committee that Charlotte Urwin, Head of Standards, will be leaving IPSO in February 2020.

He updated the Committee on the recent events he had attended: in conversation with Alison Phillips at the Law Society, the Newcastle Roadshow, his interviews with The Times and the Financial Times, and the Editors' Code Committee Meeting.

5. Matters arising

There were no matters arising.

6. Complaint 01506-19/05531-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v thesun.co.uk/The Sun

The Committee discussed the complaints and ruled that they should not be upheld. Copies of its rulings appear in **Appendix A**.

7. Complaint 05599-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v Daily Mail

The Committee discussed the complaint and ruled that the complaint should not be upheld. A copy of its ruling appears in **Appendix B**.

8. Complaint 05600-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v Metro

The Committee discussed the complaint and ruled that the complaint should not be upheld. A copy of its ruling appears in **Appendix C**.

9. Complaint 05601-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v Mail Online

The Committee discussed the complaint and ruled that the complaint should not be upheld. A copy of its ruling appears in **Appendix D**.

10. Relevant rulings relating to complaint 01506-19/05531-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v thesun.co.uk/The Sun/Daily Mail/Metro/Mail Online

The Committee noted the paper.

11. Complaint 05494-19 Isabel Oakeshott, Richard Tice and the Brexit Party v The Sunday Times

The Committee discussed the complaint and ruled that the complaint should not be upheld. A copy of its ruling appears in **Appendix E**.

12. Complaint 05820-19 Brian v Rotherham Advertiser

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

13. Complaint 05869-19 Begum v Daily Mirror

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

14. Complaints not adjudicated at a Complaints Committee meeting

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

15. Any other business

The Chief Executive updated the Committee on IPSO's jurisdiction over Global Digital Publishers.

On behalf of the Committee, Richard Best, Deputy Chair, thanked the Chairman for all his work at IPSO since it began in 2015.

16. Date of next meeting

The date of the next meeting was confirmed as Tuesday 28th January 2020.

The meeting ended at 12:55pm

APPENDIX A

Decision of the Complaints Committee 01506-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v thesun.co.uk

Summary of Complaint

1. Sultan bin Muhammad Al Qasimi and the Al Qasimi family complained to the Independent Press Standards Organisation that thesun.co.uk breached Clause 4 (Intrusion into grief or shock) in an article headlined "A FATHER'S GRIEF Emir of Sharjah stands over his son Prince Khalid Al Qasimi's body at royal funeral after 'sex and drugs orgy' death in London" published on 3 July 2019, and in an article headlined "PRINCE DIES Who was fashion designer Khalid al Qasimi and what was his cause of death?", also published on 3 July 2019.
2. The first article reported on the funeral of Sheikh Khalid bin Sultan Al Qasimi, which had taken place that day. It said that he had died in a "drug-fuelled orgy" and quoted a source who had said that "like many young Arab men, Sheikh Khalid enjoyed the freedoms he had in London", and a source who had said that staff at the prince's fashion label had been "ordered to keep quiet" following his death. The piece stated that detectives were treating his death as "unexplained" and had made no arrests. It said that the family owned a property in Sussex where the prince's brother had been found dead from a heroin overdose in 1999. This article was illustrated with images and videos of the funeral ceremony, including one which showed the prince's covered body as his father, amongst other mourners, stood by with his head bowed; his father's face was circled in red to identify him as the prince's father.
3. The second article reported that the son of the ruler of Sharjah had died in London on 1 July 2019. It included biographical information, such as the fact he had moved to the UK at the age of nine, and had studied in London before launching his fashion label. The piece said that staff at his fashion label had discovered his body, but it had not yet "been revealed how he died". It said that police were said to have found "a quantity of Class A drugs" at his address, and quoted a source who had said that "there had apparently been a party where some guests were taking drugs and having sex", that it was "suspected that Sheikh Khalid may have died suddenly as a result of taking drugs", and "an internal probe has been ordered and staff have been ordered to keep quiet". The piece also included a section about the death of the prince's brother of a heroin overdose in 1999 with a detailed description of the circumstances in which his body had been found.
4. The complainants said that the publication's coverage of the death of Prince Khalid and the timing of its articles had been insensitive in breach of Clause 4. They said that the reporting was flippant and gratuitous; it represented a clear intrusion into their grief and a failure to act with sympathy when reporting on a tragic event. While an attempt had been made to contact the UAE Embassy, no attempt had been made to contact the family before the articles were published.

5. The complainants expressed concern that the articles had included excessive speculation on the cause of the prince's death – including in the headlines. This was unnecessary and insensitive given that nothing had been confirmed by the police or the coroner. The publication had also presented this speculation in a sensationalist manner, which had demeaned the prince's death. The complainants said that the first article, published the day of the prince's funeral, had insensitively reported that Prince Khalid had died "in a drug-fuelled orgy", "as a result of taking drugs" and that Class A drugs had been found at the scene. They were also concerned that it had reported information from a source that staff at the prince's fashion label had been "ordered to keep quiet".

6. The complainants expressed concern that the first article had included images and video taken during the funeral, which featured the prince's body being carried and his grieving father. This material appeared immediately below the sensationalised headline referring to a "'sex and drugs orgy' death". In addition, the image of the Prince's father had been circled, which the complainants said had emphasised his grieving expression. They said that this represented a total failure to handle publication sensitively.

7. The complainants were concerned that the second article had repeated the same information contained in the first article. In addition, it had made an insensitive reference to the death of the prince's brother, who had died of a heroin overdose. This reference had compounded and deepened the hurt and distress suffered by the family.

8. The complainants said that their concerns were framed in the context of other coverage of the prince's death, which had been published by other titles owned by the same publishing group as thesun.co.uk, News Group Newspapers Ltd (NGN).

9. The publication expressed its condolences to the complainants for their tragic loss, and it acknowledged that media coverage of a death can sometimes be unwelcome. It nevertheless denied that its coverage had been insensitive in breach of the Code.

10. The publication said that it was entitled to report the news of a death and there was a public interest in doing so – the family had not learned of the prince's death through its reporting. It did not accept that mentioning drugs and sex in the context of a death had represented a failure to handle publication sensitively.

11. The publication said that one of its highly experienced journalists had been informed by a reliable, confidential source that a party had been held at the prince's apartment the night before his death at which the guests and the host had been drinking, taking drugs and having sex, and that Class A drugs had been found. The publication noted that the accuracy of this information had not been questioned, and the reporter had heard subsequently from additional sources that it was correct. It argued that the fact that there had not yet been a finding by a coroner was irrelevant.

12. The publication said that it had attempted to contact the complainants before publication: a reporter had contacted the United Arab Emirates Embassy in London and had repeatedly given them an opportunity to comment. No response was received. In

addition, the reporter had contacted the police, and he was issued with a statement confirming that they had been called by the ambulance service to the death of a man.

13. The publication said that its articles had concerned the fact of the death; the fact of the funeral; and an explanation of who Prince Khalid was. The articles had not gone into detail about the alleged circumstances of Prince Khalid's death. They had simply reported claims that he had died at a sex and drugs party; no further information had been given about, for example, the details of his sex life, his sexual preferences or the types of drugs that had been found in the flat. It also considered that it was entirely legitimate to note in the articles that the prince's brother had died of a drugs overdose in 1999.

14. The publication did not consider that the inclusion of the photographs and video of the funeral ceremony was insensitive as the material had been authorised and distributed to the media for the purposes of publication. It noted that it had come from the Sharjah Media Office and had been issued by the Emirates News Agency. In addition, it had been posted on the Instagram page of the Media Office of the ruler of Sharjah. The publication said that it had been appropriate for it to circle the face of the prince's father in one of the images so as to identify him from the others in the photograph. It did not consider that this represented a breach of Clause 4.

Relevant Code Provisions

15. 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 on Procedural Points

16. The complainants had directed their complaint at News Group Newspapers Ltd (NGN), the publisher of thesun.co.uk, as well as The Sun, about which the complainants had also submitted a complaint. The Committee noted that IPSO considers complaints against individual publications, rather than against publishing groups. This is because IPSO operates on the principle of editorial responsibility: publications make separate and distinct editorial decisions and therefore one publication with its own editor cannot be held responsible for what is published by another publication in the same group.

Findings of the Committee

17. The Committee first wished to express its condolences to the complainants for their loss.

18. The complainants had found the reporting process insensitive, in particular the timing of the coverage and the fact that the publication had not made direct contact with the family in advance. While the Committee understood that the complainants had found the

coverage distressing to read, the fact of someone's death is not private, and there is a public interest in reporting on a death. Journalists have a right to report the fact of a person's death, even if surviving family members would prefer for there to be no reporting. The Committee noted that in this case, the deceased was a high-profile fashion designer and a member of a royal family. It was not insensitive in breach of the Code for the publication to have published the articles the day of Prince Khalid's funeral.

19. While the Committee acknowledged that the complainants would have appreciated being notified before the articles were published, the Code does not require that publications contact families in advance of publishing reports of a death in order to be sensitive; rather, it states that any such inquiries, if made, should be handled sensitively. Nonetheless, the Committee welcomed the fact that the publication had attempted to contact the family through the United Arab Emirates Embassy in London.

20. The complainants had also expressed serious concern regarding the content of the articles and the presentation of the stories. In particular, they had objected to the reporting of "unconfirmed speculation" on the circumstances in which the prince had died, which they considered to be excessive and demeaning. However, the publication had reported information provided by confidential sources about the circumstances in which the prince had died. While it had reported – including in a headline – that "sex", "drugs" and an "orgy" had allegedly been involved, it had taken steps to limit the level of detail published, avoiding excessive and gratuitous detail. The Code does not require that publications sanitise the circumstances of a death, and it was not insensitive in breach of the Code for the publication to have reported this information.

21. The first article had included a brief reference to the death of Prince Khalid's brother, and the second article had included more detailed information on the circumstances in which he had reportedly died. While the Committee acknowledged that this had been distressing for the complainants to read, this was factual information that was already in the public domain and was relevant in the context of the death of Prince Khalid. Publishing this information did not breach the Code.

22. The first article had featured video and images of Prince Khalid's funeral. The complainants objected to their publication, and in particular the publication of photographs in which his father, one of the complainants, was circled. Funerals, whatever their nature, are highly sensitive occasions, and the Committee acknowledged the family's distress. It was relevant, however, that the material under complaint had previously been placed in the public domain with the family's consent, and that it showed a televised state funeral of a prominent member of the Sharjah royal family, rather than a private occasion. It was not insensitive for the newspaper to have republished the broadcast footage and taken still images from it to illustrate its coverage. Furthermore, it was not insensitive for the newspaper to have circled the prince's father's face in order to identify him from the others in the photograph. This did not represent a failure to handle publication with sensitivity.

Conclusion

23. The complaint was not upheld.

Remedial Action Required

24. N/A.

Decision of the Complaints Committee 05531-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v The Sun

Summary of Complaint

1. Sultan bin Muhammad Al Qasimi and the Al Qasimi family complained to the Independent Press Standards Organisation that The Sun breached Clause 4 (Intrusion into grief or shock) in an article headlined "PRINCE DIES IN SEX AND DRUGS ORGY" published on 3 July 2019, and in an article headlined "ORGY PRINCE'S FUNERAL", published on 4 July 2019.

2. The first article reported that Sheikh Khalid bin Sultan Al Qasimi, an Arab prince, had been found dead in his home "amid claims of a drug-fuelled orgy". It said that police "were said to have found a quantity of Class A drugs". It quoted a source who had said there had "apparently been a party where some guests were taking drugs and having sex"; that it was "suspected that Sheikh Khalid may have died suddenly as a result of taking drugs"; and that "as well as the police inquiry, an urgent internal probe has been ordered and staff have been ordered to keep quiet". The article reported that detectives were treating the prince's death as "unexplained" and had made no arrests. The article also reported that the prince's family owned a property in Sussex where his brother had been found dead from a heroin overdose in 1999.

3. The first article was published in substantially the same form online on 2 July 2019, with the headline "'Orgy death' Emir of Sharjah's son Prince Khalid Al Qasimi died aged 39 at 'sex and drugs orgy'".

4. The second article reported that the prince had been "laid to rest" following his death "amid claims of a drug-fuelled orgy". It said that tens of thousands of mourners had attended his funeral in the UAE. The piece noted that the previous day, the newspaper had "revealed claims he attended a sex and drugs party" the evening before his death. The article was illustrated with an image of the funeral ceremony which showed his father, amongst other mourners, praying as he stood over his son's body; his father's face had been circled in red to identify him. The second article was not published online.

5. The complainants said that the newspaper's coverage of the death of Prince Khalid and the timing of its articles had been insensitive in breach of Clause 4. They said that the reporting was flippant and gratuitous; it represented a clear intrusion into their grief and a failure to act with sympathy when reporting on a tragic event. While an attempt had been made to contact the UAE Embassy before the articles were published, no attempt had been made to contact the family directly.

6. The complainants expressed concern that the articles had included excessive speculation on the cause of the prince's death – including in the headlines. This was unnecessary and insensitive given that nothing had been confirmed by the police or the coroner. They said that the newspaper had also presented this speculation in a sensationalist manner, which had demeaned the prince's death. The complainants said that the first article had been published online the day after Prince Khalid's death, and the print version was published despite the fact that a notice had been circulated on 3 July, which had alerted the newspaper to the family's concerns regarding the publication of speculation on the cause of the prince's death. The first article had stated that the prince had died "amid claims of a drug-fuelled orgy"; that the prince "may have died suddenly as a result of taking drugs"; and that police were said to have found "a quantity of Class A drugs". They also considered that the reference to the death of his brother from a heroin overdose was insensitive; this had deepened the family's hurt and distress.

7. The complainants said that the online version of the first article had been updated with images and video taken during the funeral, which featured the prince's body being carried and the face of his grieving father. This material juxtaposed with the "sensationalist" headline and the speculation on the circumstances of the death was insensitive.

8. The complainants said that the second article had been published the day after the prince's funeral. They expressed concern that it had repeated earlier references to the prince's death as one resulting from a "drug-fuelled orgy", caused by "suspected drug overdose" in the circumstances of a "sex and drugs party". This article had also been illustrated with an exceedingly insensitive photo taken during Prince Khalid's funeral, which showed his covered body and his grieving father with his face circled, which the complainants said had emphasised to readers his hurt expression.

9. The complainants said that their concerns were framed in the context of other coverage of the prince's death, which had been published by another title owned by the same publishing group as The Sun, News Group Newspapers Ltd (NGN).

10. The newspaper expressed its condolences to the complainants for their tragic loss, and it acknowledged that media coverage of a death can sometimes be unwelcome. It nevertheless denied that its coverage had been insensitive in breach of the Code.

11. The newspaper said that it was entitled to report the news of a death and there was a public interest in doing so – the family had not learned of the prince's death through its reporting. It did not accept that mentioning drugs and sex in the context of a death had represented a failure to handle publication sensitively.

12. The newspaper said that one of its highly experienced journalists had been informed by a reliable, confidential source that a party had been held at the prince's apartment the night before his death at which the guests and the host had been drinking, taking drugs and having sex, and that Class A drugs had been found. The newspaper noted that the accuracy of this information had not been questioned, and it said that the reporter had

heard subsequently from additional sources that it was correct. It argued that the fact that there had not yet been a finding by a coroner was irrelevant.

13. The newspaper said that it had attempted to contact the complainants before publication: a reporter had contacted the United Arab Emirates Embassy in London and had repeatedly given them an opportunity to comment. No response was received. In addition, the reporter had contacted the police, and they had issued a statement confirming that they had been called by the ambulance service to the death of a man.

14. The newspaper said that its articles had concerned the fact of the death; the fact of the funeral; and an explanation of who Prince Khalid was. The articles had not gone into detail about the alleged circumstances of Prince Khalid's death. They had simply reported claims that he had died amid a sex and drugs party; no further information had been given about, for example, the details of his sex life, his sexual preferences or the types of drugs that had been found in the flat. It also considered that it was entirely legitimate to note in the articles that the prince's brother had died of a drugs overdose in 1999.

15. The newspaper did not consider that the publication of the photographs and video of the funeral ceremony was insensitive as the material had been authorised and distributed to the media for the purposes of publication. It noted that it had come from the Sharjah Media Office and had been issued by the Emirates News Agency. In addition, it had been posted on the Instagram page of the Media Office of the ruler of Sharjah. The newspaper said that it had been appropriate for it to circle the face of the prince's father in one of the images so as to identify him from the others in the photograph. It did not consider that this represented a breach of Clause 4.

16. At the end of IPSO's investigation, in order to support its position that its source had supplied accurate information, the newspaper provided an article it had published which reported that the inquest into Prince Khalid's death had heard that he had died "after bingeing on cocaine and sex drug GHB with another man".

Relevant Code Provisions

17. 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 on Procedural Point

18. The complainants had directed their complaint at News Group Newspapers Ltd (NGN), the publisher of The Sun, as well as thesun.co.uk, about which the complainants had also submitted a complaint. The Committee noted that IPSO considers complaints against individual publications, rather than against publishing groups. This is because IPSO operates on the principle of editorial responsibility: publications make separate and

distinct editorial decisions and therefore one publication with its own editor cannot be held responsible for what is published by another publication in the same group.

Findings of the Committee

19. The Committee first wished to express its condolences to the complainants for their loss.

20. The complainants had found the reporting process insensitive, in particular the timing of the coverage and the fact that the newspaper had not made direct contact with the family in advance of publication. While the Committee understood that the complainants had found the newspaper's coverage distressing to read, and their concern that the first article was published the day after Prince Khalid's death, the fact of someone's death is not private, and there is a public interest in reporting on a death. Journalists have a right to report the fact of a person's death, even if surviving family members would prefer for there to be no reporting. The Committee noted that in this case, the deceased was a high-profile fashion designer and a member of a royal family. It was not insensitive in breach of the Code for the newspaper to have reported the death of Prince Khalid the day after it happened, or to publish the second article the day after his funeral.

21. While the Committee acknowledged that the complainants would have appreciated being notified of the first article before it was published, the Code does not require that newspapers contact families in advance of publishing reports of a death in order to comply with Clause 4; rather, it states that any such inquiries, if made, should be handled sensitively. Nonetheless, the Committee welcomed the fact that the newspaper had attempted to contact the family through the United Arab Emirates Embassy in London.

22. The complainants had also expressed serious concern regarding the content of the articles and the presentation of the accounts. In particular, they had objected to the reporting of "unconfirmed speculation" on the circumstances in which the prince had died, which they considered to be excessive and demeaning. However, the newspaper had reported information provided by confidential sources about the circumstances in which the prince had died. While the newspaper had reported – including in its headlines – that "sex", "drugs" and an "orgy" had allegedly been involved, it had taken steps to limit the level of detail published, avoiding excessive and gratuitous detail. The Code does not require that newspapers sanitise information about the circumstances of a death and it was not insensitive in breach of the Code for the newspaper to have reported this information.

23. The first article had included a brief reference to the death of Prince Khalid's brother. This was factual information that was already in the public domain and was relevant in the context of the death of Prince Khalid. Publishing this information did not breach the Code.

24. The second article had featured video and images of Prince Khalid's funeral. The complainants objected to their publication, and in particular the publication of

photographs in which his father, one of the complainants, was circled. Funerals, whatever their nature, are highly sensitive occasions, and the Committee acknowledged the family's distress. It was relevant, however, that the material under complaint had previously been placed in the public domain with the family's consent, and that it showed a televised state funeral of a prominent member of the Sharjah royal family, rather than a private occasion. It was not insensitive for the newspaper to have republished the broadcast footage and taken still images from it to illustrate its coverage. Furthermore, it was not insensitive for the newspaper to have cropped a photo of the prince's father in order to show his face more clearly, or to circle his face in order to identify him from the others in the photograph. This did not represent a failure to handle publication with sensitivity.

Conclusion

25. The complaint was not upheld.

Remedial action required

26. N/A.

APPENDIX B

Decision of the Complaints Committee 05599-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v Daily Mail

Summary of Complaint

1. Sultan bin Muhammad Al Qasimi and the Al Qasimi family complained to the Independent Press Standards Organisation that the Daily Mail breached Clause 4 (Intrusion into grief or shock) of the Editors' Code of Practice in an article headlined "Did sheikh's son die after drugs party at £8m flat?", published on 4 July 2019, and in an article headlined "The House of Grief", published on 10 July 2019.

2. The first article reported that Sheikh Khalid bin Sultan Al Qasimi had been found dead at his London address "amid reports of a drug-fuelled party". It explained that he was the son of Sheikh Sultan bin Muhammad Al Qasimi, who ruled Sharjah in the UAE, and whose elder son had died of a heroin overdose in 1999. The article reported that the funeral had taken place in the UAE "yesterday" where three days of mourning were under way. It said that police had launched an investigation and that detectives were treating the death as "unexplained", were waiting for the results of toxicology tests, and had refused to say whether drugs had been found at his property. The article included quotes which it said were from people who had worked with the prince at his fashion label; one person was reported to have said that he could "become very unpredictable and we always knew to stay away from him after one of his famous parties", and another that "he always treated his female staff with respect". The article was illustrated with an image of the funeral ceremony which showed the prince's father, amongst other mourners, standing over his body while praying; the newspaper had circled his face in red in order to identify him to readers as the prince's father. This article did not appear online.

3. The second article reported that Sheikh Sultan bin Muhammad Al Qasimi had lost two sons: it reported that Prince Khalid had died recently "amid claims that 'a drug fuelled orgy' had taken place in the hours before [he] died", and that Prince Mohammed had "taken a fatal heroin overdose" in 1999. It said that the death of Prince Khalid had "shone a light both on his lifestyle and the past tragedies that have dogged a family seemingly born with every advantage in life". It said that police were investigating his death amid reports that Class A substances had been found at his property. It said that it had also been alleged that he had a "reputation for partying hard, surrounding himself with beautiful women and prostitutes, as well as having a penchant for illegal drugs that boosted his sexual performance". It said that the results of toxicology tests may take two months to come back. The article said that his father had lost his only other son 20 years ago and it gave a detailed description of the circumstances in which his body had been found, which had been heard at the inquest.

4. The second article was published in substantially the same terms online with the headline "House of grief: How a rich Emirati ruler sent two of his sons to Britain with every

privilege only for them to end up dead 20 years apart amid rumours they had spiralled into a life of drug-fuelled excess". It was published online on 9 July 2019.

5. The complainants said that the newspaper's coverage of the death of Prince Khalid and the timing of its articles had been insensitive in breach of Clause 4. They said that the reporting was flippant and gratuitous; it represented a clear intrusion into their grief and a failure to act with sympathy when reporting on a tragic event.

6. The complainants said that both articles had been published despite the fact that a notice had been circulated, prior to publication on 3 July, which had asked news outlets to comply with Clause 4 of the Code and to respect the family's privacy. No attempt had been made to contact the family before the articles were published.

7. The complainants expressed concern that the articles had included excessive speculation on the cause of the prince's death. This was unnecessary and insensitive given that nothing had been confirmed by the police or the coroner. They said that the newspaper had also presented this speculation in a sensationalist manner, which had demeaned the prince's death. For example, it had referred to a "drug-orgy death"; "drug-fuelled orgy"; said that the prince had "spiralled into a life of drug-fuelled excess"; and that "he would spend the weekend partying at his Knightsbridge penthouse with high-class prostitutes, before coming into work as an 'erratic monster'".

8. The complainants were also concerned that in this context, the newspaper had referred to the death of the prince's brother from a heroin overdose; had referred to his brother's drinking, reporting that this would have made his father "furious"; and had detailed the circumstances in which his brother's body had been found. These references had compounded and deepened their hurt and distress.

9. The complainants also said that the published image of the funeral ceremony, which had shown the covered body of the prince and his father grieving, was exceedingly insensitive. They noted in particular that the newspaper had circled the father's face, which had emphasised his pained expression.

10. The complainants said that their concerns were framed in the context of other coverage of the prince's death, which had been published by other titles owned by the same publishing group as the Daily Mail, Associated News Limited (ANL).

11. The newspaper expressed its deepest sympathies to the complainants for their loss, and said that it had not been its intention to contribute to their distress. It nevertheless denied that its coverage had been insensitive in breach of the Code.

12. The newspaper noted that Prince Khalid was a prominent individual and so it considered that it was expected that his death would attract press attention: he was the head of a fashion brand, and his royal status was such that his funeral had been broadcast on television. It said that the tone of its coverage had been respectful, no gratuitous information had been included, and the tragic events had not been made light of. In the

context of an unexplained sudden death – even soon after the event – it was inevitable that any article would include speculative information on how the subject may have died. It considered that both articles had only included a brief reference to speculative details.

13. The newspaper said that the first article was a news piece which had merely provided details about Prince Khalid's family and his professional background, as well as reporting on the status of the investigation into his death. It acknowledged that the article had referred to a "drug-fuelled party", but noted that it had also made clear that reports of drug use were unconfirmed. It had said that the police were still "awaiting the results of toxicology tests" and had "refused to say whether drugs had been involved". The headline was also sensitive: it had asked whether Prince Khalid had died after a "drugs party".

14. The newspaper said that the second article had explored the experiences of both brothers. It considered that the piece had also been sensitively written and noted that it opened with four paragraphs about the 20,000 mourners who had attended Prince Khalid's funeral; it said that only two paragraphs had mentioned the speculation from previous reports.

15. The newspaper said that a complaint could not be made about the ANL publishing group as each title within the group had its own editor and journalists.

Relevant Code Provisions

16. 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 on Procedural Point

17. The complainants had directed their complaint at Associated News Limited (ANL), the publisher of the Daily Mail, as well as the Metro and Mail Online, about which the complainants had also submitted complaints. The Committee noted that IPSO considers complaints against individual publications, rather than against publishing groups. This is because IPSO operates on the principle of editorial responsibility: publications make separate and distinct editorial decisions and therefore one publication with its own editor cannot be held responsible for what is published by another publication in the same group.

Findings of the Committee

18. The Committee first wished to express its condolences to the complainants for their loss.

19. The complainants had found the reporting process insensitive, in particular the timing of the coverage and the fact that the newspaper had not made direct contact with the family in advance of publication. While the Committee understood that the complainants had found the newspaper's coverage distressing to read, and their concern that the first article was published the day after Prince Khalid's funeral, the fact of someone's death is not private, and there is a public interest in reporting on a death. The Committee noted that in this case, the deceased was a high-profile fashion designer and a member of a royal family. Journalists have a right to report the fact of a person's death, even if surviving family members would prefer for there to be no reporting. It was not insensitive in breach of the Code for the newspaper to have published the first article the day after his funeral.

20. While the Committee acknowledged that the complainants would have appreciated being notified of the articles before they were published, the Code does not require that newspapers contact families in advance of publishing reports concerning a death in order to comply with Clause 4; rather, it states that any such inquiries, if made, should be handled sensitively.

21. The complainants had also expressed serious concern regarding the content of the articles and the presentation of the stories. In particular, they had objected to the reporting of "unconfirmed speculation" on the circumstances in which the prince had died, which they considered to be excessive and demeaning. However, the newspaper had reported information provided by confidential sources about the circumstances in which the prince had died which had already been published by another national newspaper. Although the second article had referred to a "drug-fuelled orgy", the level of detail published was limited; it was not excessive or gratuitous. The Code does not require that newspapers sanitise information about the circumstances of a death and it was not insensitive in breach of the Code for the newspaper to have reported this information.

22. The first article had included a brief reference to the death of Prince Khalid's brother, and the second article had focused on both princes and the circumstances that had led to their early deaths. While the Committee acknowledged the complainants' distress, the information published about the death of Prince Khalid's brother was factual information that was already in the public domain, and the comments about his character from people who were reported to have known him provided additional context and their publication was not insensitive. Publishing this information did not breach the Code.

23. The complainants had objected to the publication of an image of Prince Khalid's funeral, and in particular the fact that his father, one of the complainants, was circled. Funerals, whatever their nature, are highly sensitive occasions, and the Committee acknowledged the family's distress. It was relevant, however, that the material under complaint had previously been placed in the public domain with the family's consent, and that it showed a televised state funeral of a prominent member of the Sharjah royal family, rather than a private occasion. It was not insensitive for the newspaper to have republished this image to illustrate its coverage. Furthermore, it was not insensitive for the newspaper to have circled his father's face in order to identify him from the other

mourners in the photograph. This did not represent a failure to handle publication with sensitivity.

Conclusion

24. The complaint was not upheld.

Remedial Action Required

25. N/A.

APPENDIX C

Decision of the Complaints Committee 05600-19 The Sultan bin Muhammad Al Qasimi and the Al Qasimi family v Metro

Summary of Complaint

1. Sultan bin Muhammad Al Qasimi and the Al Qasimi family complained to the Independent Press Standards Organisation that the Metro breached Clause 4 (Intrusion into grief or shock) in an article headlined "Sheikh bids farewell to son 'dead at drug-fuelled party'", published on 4 July 2019.

2. The article reported that the funeral of Sheikh Khalid bin Sultan Al Qasimi, the son of a UAE ruler, had taken place the day before. It said that he had "reportedly" died during a "drug-fuelled party in his Knightsbridge apartment, at which some guests were having sex", and that according to another newspaper "police had found a quantity of Class A drugs at his flat". The article said that three days of national mourning were taking place across the UAE, and that a friend and former business partner had said that the prince had been "incredibly hard working and talented – a wonderful person". The article noted that the prince's brother had died of a heroin overdose in 1999. It was illustrated with an image of the funeral ceremony, which showed the prince's father, amongst other mourners, standing over his body, while praying; the newspaper had circled the father's face in red to identify him as Sheikh Al Qasimi.

3. The article was published in substantially the same format online.

4. The complainants said that the article and the timing of it – the day after Prince Khalid's funeral – had been insensitive in breach of Clause 4. They said that the reporting was flippant and gratuitous; it represented a clear intrusion into their grief and a failure to act with sympathy when reporting on a tragic event.

5. The complainants said that the article had been published despite the fact that a legal notice had been circulated on 3 July, which had asked news outlets to comply with Clause 4 of the Code and to respect their privacy. They said that no attempt had been made to contact the family before the article was published.

6. The complainants expressed concern that the article had included excessive speculation on the cause of the prince's death, which had demeaned it to create shock and suspicion and had led to hurtful comments. The reporting was unnecessary and insensitive given that nothing had been confirmed by the police or the coroner. The complainants noted that the article had reported claims that the prince had died at a "drug-fuelled party" during which "some guests were taking drugs and having sex"; that a "quantity of class A drugs" had been found at the scene; and that Prince Khalid "may have died suddenly as a result of taking drugs". They also considered that the article had alluded to the prince's alleged flamboyant lifestyle; they were concerned that it had published a quote that he

"had been enjoying freedoms that London offers but that his story 'had ended tragically' and that 'staff have been told to keep quiet'".

7. In addition, the complainants considered that the published references to Prince Khalid's brother dying of heroin overdose in 1999 were insensitive, and had compounded and deepened their hurt and distress.

8. The complainants said that the published image of the funeral ceremony, which had shown the covered body of the prince and his father grieving, was exceedingly insensitive. They noted in particular that the newspaper had circled his father's face, which they said had emphasised his pained expression.

9. The complainants said that their concerns were framed in the context of other coverage of the prince's death, which had been published by other titles owned by the same publishing group as the Metro, Associated News Limited (ANL).

10. The newspaper expressed its condolences to the complainants for their loss, and said that it regretted any distress inadvertently caused by its coverage. While it acknowledged that it would have been difficult for the complainants to have read about Prince Khalid's death in the newspaper, it considered that it had taken care to ensure that its coverage was sensitive in line with the obligations set out in the Code.

11. The newspaper said that it was an important function of the press to inform the public about what is known – or what people are saying – about an unexplained and unexpected death. Its article was a straightforward news report: it had simply reported that the prince had died and explained what a source had told a national newspaper about the alleged circumstances. The article had not made light of his death or ridiculed the manner of it, it had not included any gratuitous detail, and it had not ridiculed Prince Khalid in any way. It noted that the article had included a sympathetic tribute to the prince from his former business partner.

12. The newspaper also did not consider that the reference to the death of Prince Khalid's brother had been insensitive: the article had merely said that he had died in 1999. Similarly, it considered that republishing a photograph of Prince Khalid's funeral – which had been attended by many people – was not insensitive. It noted that the photograph remained online on the Sharjah Press Office's Instagram account.

13. The newspaper said that a complaint could not be made against the Associated News Limited publishing group, as its publications operated completely separately and independently from one another.

Relevant Code Provisions

14. 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 on Procedural Point

15. The complainants had directed their complaint at Associated News Limited (ANL), the publisher of the Metro, as well as the Daily Mail and Mail Online, about which the complainants had also submitted complaints. The Committee noted that IPSO considers complaints against individual publications, rather than against publishing groups. This is because IPSO operates on the principle of editorial responsibility: publications make separate and distinct editorial decisions and therefore one publication with its own editor cannot be held responsible for what is published by another publication in the same group.

Findings of the Committee

16. The Committee first wished to express its condolences to the complainants for their loss.

17. The complainants had found the reporting process insensitive, in particular the timing of the article and the fact that the newspaper had not made direct contact with the family in advance of publication. While the Committee understood that the complainants had found the article distressing to read, and their concern that it was published the day after Prince Khalid's funeral, the fact of someone's death is not private, and there is a public interest in reporting on a death. Journalists have a right to report the fact of a person's death, even if surviving family members would prefer for there to be no reporting. The Committee noted that in this case, the deceased was a high-profile fashion designer and a member of a royal family. It was not insensitive in breach of the Code for the newspaper to have published the article the day after his funeral.

18. While the Committee acknowledged that the complainants would have appreciated being notified of the article before it was published, the Code does not require that newspapers contact families in advance of publishing reports concerning a death in order to comply with the Clause 4; rather, it states that any such inquiries, if made, should be handled sensitively.

19. The complainants had also expressed serious concern regarding the content and presentation of the article. In particular, they had objected to the reporting of "unconfirmed speculation" on the circumstances in which the prince had died, which they considered to be excessive and demeaning. However, the newspaper had reported information which had already been reported by another publication. While the newspaper had reported that the prince had "reportedly" died at a "drug-fuelled party", the level of detail included was not excessive or gratuitous. The Code does not require that newspapers sanitise information about the circumstances of a death and it was not insensitive in breach of the Code for the newspaper to have reported this information.

20. The article had included a brief reference to the death of Prince Khalid's brother. This was factual information that was already in the public domain and was relevant in the context of the death of Prince Khalid. Publishing this information did not breach the Code.

21. The complainants had objected to the publication of an image of Prince Khalid's funeral in which his father's face had been circled. Funerals, whatever their nature, are highly sensitive occasions, and the Committee acknowledged the family's distress. It was relevant, however, that the published image had been placed in the public domain with the family's consent, and that it showed a televised state funeral of a prominent member of the Sharjah royal family, rather than a private occasion. It was not insensitive for the publication to have republished the image to illustrate its coverage. This did not represent a failure to handle publication with sensitivity.

Conclusion

22. The complaint was not upheld.

Remedial Action Required

23. N/A.

APPENDIX D

Decision of the Complaints Committee 05601-19 Sultan bin Muhammad Al Qasimi and the Al Qasimi family v Mail Online

Summary of Complaint

1. Sultan bin Muhammad Al Qasimi and the Al Qasimi family complained to the Independent Press Standards Organisation that Mail Online breached Clause 4 (Intrusion into grief or shock) in an article headlined "The ruler of Sharjah stands over the body of his son as funeral is held in UAE for the fashion chain-owner, 39, following 'drug orgy death at London penthouse', published on 3 July 2019, and in an article headlined "UAE Emir's son found dead in Knightsbridge penthouse 'threw drug-fuelled orgies attended by high-class prostitutes, took meth so sex lasted longer and turned into a 'monster' after a heavy weekend of partying", also published on 3 July 2019.
2. The first article said that Sheikh Khalid bin Sultan Al Qasimi, the son of the ruler of Sharjah in the United Arab Emirates, had died in London. It explained that the funeral had taken place "amid unconfirmed reports of a 'drug-fuelled orgy'" and reports that he had died during a "drug-fuelled party at which some guests were having sex". The article also noted that another newspaper had been told by "sources" that police had found Class A drugs at his property, but that police had yet to confirm or deny this, and that the results of toxicology tests would not be known for two months. It also referred to Prince Khalid's brother who had died of a heroin overdose in 1999, and described the circumstances in which his body had been found. The article was illustrated with photographs of Prince Khalid, and a video and images of the funeral, including images of his father standing over his body during prayers.
3. The second article also reported on the funeral of Prince Khalid, and repeated much of the information contained in the first article. It said that it had been claimed by staff at his fashion house that the prince had been a "well-known meth user who often hosted days-long sex parties". This article also included photographs of the prince, as well as video and images of his father and his body at the funeral.
4. The complainants said that the publication's coverage of the death of Prince Khalid and the timing of its articles – on the day of his funeral – had been insensitive in breach of Clause 4. They said that the reporting was flippant and gratuitous; it represented a clear intrusion into their grief and a failure to act with sympathy when reporting on a tragic event. No attempt had been made to contact them in advance of publishing the reports.
5. The complainants said that there had been no official determination as to the cause of Prince Khalid's death or the circumstances. Regardless of this, the publication had published speculation – including in its headlines – that the death had been due to a "drug-fuelled orgy"; it had reported the alleged presence of Class A drugs at his property; it had published speculation that he had died during a "drug-fuelled party at which some

of the guests were having sex"; and it had reported comments from staff at the prince's fashion label about his alleged behaviour and alleged use of methamphetamine.

6. The complainants also expressed concern that the publication had referred to the death of Prince Khalid's brother from a heroin overdose, and had included excessively detailed and sensitive information concerning the circumstances in which his body had been found. This had compounded and deepened the hurt and distress of the family.

7. In addition, the complainants said that publishing images and video of the funeral ceremony, which had shown the covered body of the prince and his father in a state of grief, in the context of these articles, was exceedingly insensitive. They noted that in one image, the publication had zoomed in on the face of the prince's grieving father.

8. The complainants said that their concerns were framed in the context of other coverage of the prince's death, which had been published by other titles owned by the same publishing group as Mail Online, Associated News Limited (ANL).

9. The publication expressed its condolences to the complainants for their loss; any distress that had been caused was not intended and regrettable. It did not accept, however, that its coverage had been insensitive in breach of Clause 4. While it understood that the coverage had doubtless been hard for the family to read, the prince had not been mocked, the reporting was not flippant, and the references made in the headlines were straightforward, candid summaries of information given to various publications by a number of sources.

10. The publication said that both its articles had been published on the day of the funeral, and after a national newspaper had already reported the alleged circumstances leading up to the death. It said that neither of its articles had reported as fact the cause of Prince Khalid's death: both had made clear that although toxicology tests had been carried out, the results were not expected for two months; both had said that the date for the inquest had not been set; and both had clearly reported that the reference to a "drug-fuelled orgy" was based on an unconfirmed report, published in another newspaper, in which a source had claimed that police had discovered Class A drugs at the scene.

11. The publication did not consider that the information it had published was gratuitous. The pictures and the video of the funeral, including the image of Prince Khalid's body and his father, had already been published on the official Instagram account of a member of the Al Qasimi family. In addition, the references to Prince Khalid's brother were brief, and, given that they had both lived in Britain away from their families and had apparently died in similar tragic circumstances, it was relevant to include details of his brother's death in the articles.

12. Given that the events had taken place in London, the publication had taken the view that the family would not be able to comment substantively on the allegations, and the decision was made not to make an approach on the day of the funeral. Both articles had, however, included an official statement, which had been released by the prince's fashion

label, as well as the full text of a statement issued by the UAE's Ministry of Presidential Affairs.

13. The publication noted that the complaint had referred to articles published by various newspapers in the Associated News Ltd group. It said that its response was limited to the complaint which related to the Mail Online articles as the other publications cited were editorially separate, with discrete journalists, editors and managing editorial staff.

Relevant Code Provisions

14. 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 on Procedural Point

15. The complainants had directed their complaint at Associated News Limited (ANL), the publisher of Mail Online, as well as the Daily Mail and the Metro, about which the complainants had also submitted complaints. The Committee noted that IPSO considers complaints against individual publications, rather than against publishing groups. This is because IPSO operates on the principle of editorial responsibility: publications make separate and distinct editorial decisions and therefore one publication with its own editor cannot be held responsible for what is published by another publication in the same group.

Findings of the Committee

16. The Committee first wished to express its condolences to the complainants for their loss.

17. The complainants had found the reporting process insensitive, in particular the timing of the coverage and the fact that the publication had not made direct contact with the family in advance. While the Committee understood that the complainants had found the coverage distressing to read, and their concern that the articles were published on the day of Prince Khalid's funeral, the fact of someone's death is not private, and there is a public interest in reporting on a death. Journalists have a right to report the fact of a person's death, even if surviving family members would prefer for there to be no reporting. The Committee noted that in this case, the deceased was a high-profile fashion designer and a member of a royal family. It was not insensitive in breach of the Code for the publication to have reported the alleged circumstances of Prince Khalid's death on the day of the funeral.

18. While the Committee acknowledged that the complainants would have appreciated being notified before the articles were published, the Code does not require that

publications contact families in advance of publishing reports of a death in order to comply with the Clause 4; rather, it states that any such inquiries, if made, should be handled sensitively. In this case, the publication had published statements issued by the UAE's Ministry of Presidential Affairs and by the prince's fashion house.

19. The complainants had also expressed serious concern regarding the content of the articles and the presentation of the accounts. In particular, they had objected to the reporting of "unconfirmed speculation" on the circumstances in which the prince had died, which they considered to be excessive and demeaning. While the publication had republished claims made by another newspaper that "sex", "drugs" and an "orgy" had allegedly been involved, and reported additional claims which were said to have been made by confidential sources who had worked for the prince, the Code does not require that publications sanitise the circumstances of a death. It was not insensitive in breach of the Code for the publication to have reported this information.

20. The articles had included brief references to the death of Prince Khalid's brother. This was factual information that was already in the public domain and was relevant in the context of the death of Prince Khalid. Publishing this information did not breach the Code.

21. The complainants had objected to the publication of video and images of Prince Khalid's funeral in the context of these two reports. Funerals, whatever their nature, are highly sensitive occasions, and the Committee acknowledged the family's distress. It was relevant, however, that the material under complaint had been placed in the public domain with the family's consent, and that it showed a televised state funeral of a prominent member of the Sharjah royal family, rather than a private occasion. It was not insensitive for the publication to have republished the broadcast footage and taken still images from it to illustrate its coverage. This did not represent a failure to handle publication with sensitivity.

Conclusion

22. The complaint was not upheld.

Remedial Action Required

23. N/A.

APPENDIX E

Decision of the Complaints Committee 05494-19 Isabel Oakeshott, Richard Tice and the Brexit Party v The Sunday Times

Summary of Complaint

1. Isabel Oakeshott, Richard Tice and the Brexit Party complained to the Independent Press Standards Organisation that The Sunday Times breached Clause 1 (Accuracy) and Clause 2 (Privacy) of the Editors' Code of Practice in an article headlined "Trump leak scandal engulfs Brexit Party", published on 14 June 2019.
2. The article, which started on the front page, was subheadlined "Police close in on 'Eurosceptic Philby' in Whitehall". It followed the publication of leaked diplomatic cables, in which the then-British ambassador to the United States, Kim Darroch, criticised the President of the US, leading to the ambassador's resignation; the story about the cables and their content was broken by Ms Oakeshott, a journalist.
3. The article under complaint reported that Mr Tice, the chairman of the Brexit Party, was "embroiled" in the scandal "as it emerged that he is in a relationship with the writer whose story brought down Britain's ambassador to Washington", a reference to Ms Oakeshott. It went on to note that "security sources said a suspect had been identified for the leaks amid 'panic' in Whitehall that a 'pro-Brexit Kim Philby' figure has been trying to undermine officials not deemed supportive enough of leaving the EU". It said that "as police closed in on the mole", "friends" of Ms Oakeshott confirmed that she had been in a relationship since last year with Mr Tice. While noting that "Tice and Oakeshott both denied he had played any role in the leak or in the handling of the documents", it claimed that "news of the relationship will fuel the belief of Darroch's allies that he was brought down by conspirators keen to replace him with a 'pro-Brexit businessman'". It quoted an anonymous "British diplomat" saying "It feels like there are a lot of Brexit Party-Faragist fingerprints around this". It quoted an anonymous "friend of the couple" who acknowledged the relationship and commented "No doubt this will fuel conspiracy theories, but [Tice] categorically was not involved in obtaining or handling the information, nor has he seen it". It also reported that when the cables were leaked, Mr Tice and another high-profile Brexit Party campaigner called for the ambassador to be sacked. The print article also reported Ms Oakeshott had "left her husband" and named her husband and his occupation.
4. The article also appeared online on the same day under the same headline. This version of the article was substantially the same as the print article, but also included a comment from Ms Oakeshott which stated "Oakeshott said: 'Richard had nothing to do with the cables. He has never seen them, never handled them and was not involved in acquiring them.'" This version did not reference her husband by name, or report that Ms Oakeshott had "left" him.

5. All the complainants said that the article was inaccurate as it alleged that the Brexit Party and Mr Tice were “embroiled” in a scandal. It said that reporting on this scandal suggested that the Brexit Party was involved in the theft and the leak of the documents. They said that there was no evidence to support this, and the article made clear that there was no tie to the complainants; therefore the headline was not supported by the text. They also said that it was inaccurate to say that the Brexit Party was involved in any scandal involving the leaked documents.
6. Ms Oakeshott additionally said that the article breached Clause 1 because it reported “she and Tice have been in a relationship since last year and that she had left her husband”. She said this gave the misleading impression that Mr Tice played a role in the breakdown of her marriage.
7. Ms Oakeshott also said that the online version of the article was inaccurate as it contained a direct quote from her. She said this suggested inaccurately that she had given this quote directly to the publication, when in fact she had given the quote to another publication. She said this led to the misleading impression that she cooperated with the writing of The Sunday Times’ article. She said it was inaccurate not to report the source of this quote.
8. All three complainants also complained that they had not been contacted prior to publication of the article, which they said breached Clause 1. They only knew of the article’s intended publication after a separate source had told Ms Oakeshott about it and she had contacted a journalist at the paper.
9. Mr Tice and Ms Oakeshott each complained that the article represented an intrusion into their privacy in breach of Clause 2. Mr Tice said that the article reported on his relationship with Ms Oakeshott where he had a reasonable expectation of privacy in relation to this information. Ms Oakeshott said that the article intruded into her privacy as it named her husband; she said that because he was not a public figure, she had a reasonable expectation of privacy as to his name and profession.
10. The publication did not accept any breach of the Code and denied that the story implied that the Brexit Party had a part in the theft or leak of the documents. It said that the headline and text of an article must be read together. The headline indicated that there was a connection between the Brexit Party and the leak, and this connection was explained in the text of the article by the relationship between Mr Tice and Ms Oakeshott. The leaking of the documents could clearly be described as a “scandal”, and the Brexit Party could be said to be “embroiled” in the scandal due to the relationship between Mr Tice and Ms Oakeshott. Its story did not suggest that Mr Tice was the “mole” being sought. There was a significant public interest in the story of how the cables had come into the public domain. It was relevant that Mr Tice had “spoken out” against Mr Darroch after the

publication of the cables. It noted that Ms Oakeshott did not deny having discussed details of the earlier cables with Mr Tice before publication. The article referred multiple times to Mr Tice's denial of having been involved, including via Twitter. It did not accept that the headline was not supported by the text.

11. The publication did not accept that it was inaccurate to report that Ms Oakeshott had "left her husband". It also disagreed that this implied that Mr Tice was the reason for the breakdown of her marriage. It had also reported that they had "separated". However, it had agreed to remove this reference on the evening of publication in the online version of the article at the request of Ms Oakeshott.
12. The publication denied that it had breached Clause 1 by not contacting the complainants prior to publication. It said Ms Oakeshott had been aware that the story would be run and that she had said another publication was going to run a similar story. In addition, it said that she had supplied a quote to a journalist working for the same newspaper that she had asked to be attributed to "a friend of" herself and Mr Tice; this was the quotation used in the story, which included the "categorical denial" that Mr Tice was involved in the leak.
13. The publication also did not accept that it had breached Mr Tice's privacy. It said that there was a public interest in disclosing this relationship that outweighed any reasonable expectation of privacy that Mr Tice might have. It had also published a quote that was provided by Ms Oakeshott, though published as from a friend, which acknowledged that "[i]t is no secret that Isabel and Richard are in a relationship".
14. The publication also denied that Ms Oakeshott's privacy had been breached by naming her husband. It said that identifying Ms Oakeshott would have automatically identified her husband; the fact of the relationship was not private. It further considered that Ms Oakeshott's acceptance of the publication of the fact of the relationship with Mr Tice undermined her claim to privacy. It did, however, remove her husband's name from the online version of the article at Ms Oakeshott's request.

Relevant Clause Provisions

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 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. In considering an individual's reasonable expectation of privacy, account will be taken of the complainant's own public disclosures of information and the extent to which the material complained about is already in the public domain or will become so.
- iii) It is unacceptable to photograph individuals, without their consent, in public or private places where there is a reasonable expectation of privacy.

Findings of the Committee

15. It was accepted that the controversy over the leaking of the cables could reasonably be described as a "scandal": the dispute was over whether it was inaccurate or misleading for the newspaper to report that the scandal had "engulfed" the Brexit Party, and whether the article had been otherwise misleading, in particular over whether it had carried the inaccurate implication that Mr Tice had a role in the leak.
16. The Committee carefully considered the newspaper's justification for its claim that the Chairman of the Brexit Party had been "embroiled" in the scandal, and the claim that the scandal had "engulfed" the Party. It noted that, in the first paragraph of the article, the newspaper had set out the basis for making these claims, namely that Ms Oakeshott, who was the journalist who broke the story, was in a relationship with the Chairman of the party. In these circumstances, the Committee concluded that it was not inaccurate or misleading for the newspaper to present its position that the fact of the relationship between the two created a link which had drawn the Party into the scandal. The Committee did not establish a breach of Clause 1 (i) on this point. The Committee further decided that the article did not make the claim that Mr Tice had played a role in the leak; while it reported that an unnamed diplomat had made a remark that "it feels like there are a lot of Brexit Party-Faragist fingerprints around this", the article explained that the suspect is believed to be "in Whitehall", is a "civil servant who had access to historic Foreign Office files", and is a "Kim Philby figure", a reference to a spy who had worked in the British intelligence services. These references could not reasonably be understood to be references to Mr Tice who is not a civil servant and does not work in Whitehall or for the intelligence services. The article also included repeated references to the denials of Mr Tice and Ms Oakeshott that he had played any role. There was no breach of Clause 1 on this point.

17. The article explained that Ms Oakeshott and her husband had separated and that she was now in a relationship with Mr Tice. The one reference to Ms Oakeshott having “left her husband” did not imply that Mr Tice was involved or responsible for the separation. The article made no comment on the reason for the separation. There was no breach of Clause 1 on this point, however the Committee welcomed the publication’s willingness to remove this reference from the online version of the article.
18. Ms Oakeshott also said it was inaccurate to include a quote in the article which she had given to another publication without attributing it to that publication, as this suggested she had willingly contributed to the article. However, the inclusion of the quotation, in circumstances where she had given the quote and its accuracy was not disputed, did not lead to a breach of Clause 1.
19. All three complainants said it was a breach of Clause 1(i) that none of them had been formally contacted by the newspaper prior to publication. In some cases, it may be necessary for publications to contact parties prior to publication in order to avoid a breach of Clause 1, but there is no freestanding requirement to do so. In this instance, the article was reporting on a number of factual matters which were not in dispute, including the existence of the relationship which Ms Oakeshott had confirmed prior to publication. Further, Ms Oakeshott and Mr Tice’s position that Mr Tice had no role in the leaks was included prominently in the article. There was no breach of Clause 1.
20. Mr Tice said that the article represented an intrusion into his privacy by reporting his relationship with Ms Oakeshott. The fact of a relationship is generally not information about which they have a reasonable expectation of privacy. Further, the existence of the relationship had been placed into the public domain by Ms Oakeshott who had told the newspaper about the relationship by providing the statement: “[i]t is no secret that Isabel and Richard are in a relationship”; although she had expressed the wish that the quote was not attributed to her, given the disclosure the relationship could not reasonably be considered private. There was no breach of Clause 2 on this point.
21. Ms Oakeshott further said that the article intruded into her privacy as it named her husband. The marital status of an individual, and the identity of the person to whom someone is married, is a matter of public record and therefore there is no reasonable expectation of privacy in relation to this information. There was no breach of Clause 2 on this point.

Conclusions

22. The complaint was not upheld.

Remedial action required

N/A

APPENDIX F

Decision of the Complaints Committee 05820-19 Brian v Rotherham Advertiser Summary of Complaint

1. Joe Brian complained to the Independent Press Standards Organisation that the Rotherham Advertiser breached Clause 1 (Accuracy) and Clause 3 (Harassment) of the Editors' Code of Practice in an article headlined "Dearne Valley parents say head was 'unprofessional' after playground ban", published on 19 September 2019.

2. The article reported a parent's claims that a head teacher was unprofessional after banning two parents from the school grounds after comments made on twitter by those parents. It also reported that the head teacher "stopped [one of the parent's] 11-year-old daughter from attending a school trip - despite a doctor's note saying she was fit to attend."

3. The article appeared online under the same headline and was substantially the same as the print article.

4. The complainant, the head teacher named in the article, said the article was inaccurate: he had not stopped the pupil attending the school trip. Instead, he said that the decision had been taken by the residential centre in line with its sickness policy, and this decision was not affected by the child's doctor's note. The complainant had been contacted by the newspaper before publication and had said that there was "no truth" in the claims, and that he had "just emailed the parent a letter from [the residential centre] which makes that clear – maybe she will let you see it". During IPSO's investigation he provided a copy of this; in it, the centre said it took "full responsibility" for the decision. The complainant was also concerned that the journalist was allegedly friends with the subject of the article.

5. The complainant said that his correspondence with the publication's staff constituted harassment in breach of Clause 3. He said that the tone and content of the emails, particularly that of the editor, had been rude and that the editor had asked the complainant whether he and his wife were qualified teachers.

6. The newspaper did not accept any breach of the Code. It said that whilst it may have been the residential centre that sent the letter saying that the child could not attend, it was the complainant who had passed on the medical information that led to this decision. It said that therefore reporting that the complainant had stopped the child attending was not misleading. Furthermore, it had contacted the complainant on several occasions before the article was published asking if he "would like to make any comment", "make a statement" or if he "wish[ed] to respond" regarding the allegations that he stopped the pupil going on a trip. The complainant denied the original allegations sent by the publication and had declined to comment, other than by saying "There is no truth in what you have written" and that "I'm sure any decent journalist would be reading what was written for themselves."

7. The publication provided several email chains between themselves and the complainant. The reporter had sent an email asking for a comment from the complainant. The publication, whilst acknowledging that the email exchange “had not gone well” and had been at points “childish”, did not accept that any publication staff who emailed the complainant had engaged in intimidation, harassment or persistent pursuit. It noted that he had continued to engage and had not requested that the publication desist, so there was no failure of the publication staff to respect a request to desist.

8. Given the complainant’s comments following publication, the newspaper offered to publish a correction on page two.

In regard to the story headlined “Dearne Valley parents say head was ‘unprofessional’ after playground ban” that appeared online on July 19, 2019 and in the Weekender dated July 18, 2019, headed “Parents say head was unprofessional”, in which parents claimed Mr Joe Brian stopped a child attending an event at a residential centre by passing on incorrect information or not providing the centre with the facts. We would like to make it clear that Mr Brian’s position is that he provided the residential centre with the correct information.

Prior to publication, Mr Brian was offered several opportunities to comment on the claims of the parents or to provide evidence to counter their allegations but declined on each occasion.

9. The complainant said that this proposed wording did not resolve his complaint.

Relevant Code Provisions

10. 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.

11. Clause 3 (Harassment)*

i) Journalists must not engage in intimidation, harassment or persistent pursuit.

ii) They must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on property when asked to leave and must not follow them. If requested, they must identify themselves and whom they represent.

iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other sources.

Findings of the Committee

12. The article had reported, as fact, that the complainant had stopped one of his pupils from attending a school trip. Before publication, the complainant had made the newspaper aware of a letter which he said disproved the claim. Given that the newspaper was aware that the complainant denied the claim and that he had identified documentary evidence which he said supported his position, to report that the complainant had “stopped” the child attending the trip, without making it clear that this was the view of the child’s parent, represented a failure to take care over the accuracy of the information. There was a breach of Clause 1.

13. Although the Committee noted that the article had made it clear that the complainant denied the allegation, reporting that he had “stopped” the child attending the trip, without explaining that this was the parent’s view given that he had passed the doctor’s note to the residential centre, amounted a significant inaccuracy which required correction under the terms of Clause 1(ii). The publication had offered to print a correction on page two. However, the proposed wording did not make sufficiently clear that it was the residential centre, as opposed to the complainant, who had taken the decision that the child could not attend the trip. Therefore, it did not adequately correct the inaccuracy, and there was a breach of Clause 1(ii).

14. It was a matter of regret that the exchange of emails between the complainant and the publication had become heated and that the publication’s manner did not meet the standards of professionalism expected. However, the complainant had continued to engage with the publication’s staff and made no request that they desist from contacting him. Although the Editor had become discourteous in his correspondence with the complainant, this did not go so far so as to constitute harassment, intimidation or persistent pursuit. Therefore there was no breach of Clause 3.

15. The Committee noted the complainant’s general concern that the article was based on information provided by a former member of the newspaper’s staff. However, the selection of material for publication is a matter of editorial discretion; the newspaper was entitled to report the information which it had received, as long as it did so in accordance with the terms of the Code. This point did not raise a breach of the Code.

Conclusions

16. The complaint was upheld.

Remedial Action Required

17. Having upheld the complaint, the Committee considered what remedial action should be required. 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.

18. The newspaper had been entitled to report the parent's claims, provided that they were clearly signalled as such. Where matters are reported as fact, care needs to be taken not to publish inaccurate, misleading or distorted information. In this case, such care had not been taken, as a letter from the residential centre to the parent showed that it took responsibility for the decision to stop the child attending the trip, rather than the complainant. The Committee considered that the appropriate remedy was the publication of a correction which made clear that the complainant had not stopped the child attending the trip.

19. The original article appeared on page 2 and the correction would need to be published on that page, or further forward, and as a footnote correction to the online article. It should state that it has been published following an upheld ruling by the Independent Press Standards Organisation. The full wording should be agreed with IPSO in advance.

APPENDIX G

Decision of the Complaints Committee 05869-19 Begum V The Daily Mirror

Summary of Complaint

1. Fatema Begum complained to the Independent Press Standards Organisation that the Daily Mirror breached Clause 1 (Accuracy), Clause 2 (Privacy) and Clause 6 (Children) of the Editors' Code of Practice in an article headlined "Scandal of 50,000 kids going hungry in summer holiday" published on 30 July 2019.

2. The article reported that "record numbers of children" would "face school holiday hunger during the long summer break" and that "around 50,000 youngsters from disadvantaged homes will get free meals and activities inside schools as the Government quadrupled funding to tackle the crisis". The article reported that "charities have warned of a growing problem of holiday hunger as many families struggle to feed their kids at home". The sub-headline reported that "schools need to feed children during [the] break" and appeared across a photograph of three children sat at a table eating at a summer club in Tower Hamlets. The photograph was also published with the caption "TREAT: kids enjoy fruit at Tower Hamlets summer school". The article featured a section titled "Tower Hamlets it's a tale of two cities" in which it was reported that more than 330 children a day would receive a free breakfast and lunch in that borough. The article further reported that in the constituency of Poplar and Limehouse, 23,706 children lived in poverty, which was double the national average. The section featured a quote from a head teacher at a named school in Tower Hamlets which had "opened its doors" for a holiday club; she said that "no-one will be turned away".

3. The article also appeared in much the same terms online under the headline "National food scandal as 50,000 kids to go hungry this summer holiday", published on 29 July.

4. The complainant, the mother of two of the children featured in the photograph, said that the article breached the terms of Clause 1 as it gave the misleading impression that her children were poor and hungry. She said that the children attended the holiday club for recreational reasons, not financial reasons and said that the club was not means tested.

5. The complainant said that publication of the photograph represented a breach of Clause 6; neither parent had provided consent for a national newspaper to photograph their children, or for their photograph to be published. The complainant said that although she had signed a consent form providing permission for photographs of her children to be taken and used for the purpose of promoting the holiday club, or for use on the school's web channels, the consent did not extend to the publication of photographs in a national newspaper. The complainant said that the misleading impression created by the article that her children were poor and hungry had affected the children's time at school, as it had caused them distress and could lead to bullying.

6. The complainant said that the children had a reasonable expectation of privacy in relation to the information in the image and the circumstances in which it was taken; they should not have been photographed while they were eating and taking part in activities at the club.

7. The publication denied any breach of the Code. It said that it had been invited to the club by the local council and that the club was specifically described to the publication as a "club which alleviates some of the pressures families face during the school holiday period when free school meals are unavailable". Further, the publication said that the local authority press release for the club provided details about child poverty rates in Tower Hamlets and the statistics for eligibility for receiving free school meals. The publication said that it was not inaccurate to publish the photograph of the children in the reported context. The publication noted that the club may have been portrayed in a different way to parents than it had been to the newspaper but said that it was entitled to rely on the council's description.

8. In regard to the alleged breach of Clause 2, the publication emphasised that the invitation from the council clearly stated that filming and photography of holiday club activities, including meal preparation, was on offer to the publication. In circumstances where the publication had been invited to the club by the council and had been given permission by the council, as well as the school authorities to take photographs, the publication said that the children did not have a reasonable expectation of privacy whilst attending the club.

9. The publication noted that Clause 6 states that children should not be photographed on issues concerning their welfare without parental consent but relied on the fact that the council had invited the press to take photographs and the complainant had also provided consent for the children's photograph to be taken. Further, the school authorities had provided permission for the children to be photographed at school and members of staff at the school were present when the reporter attended the club. The publication removed the image from the online article as a gesture of goodwill but said that there was no breach of Clause 6.

Relevant Code Provisions

10. 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.

11. 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.

12. 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

Findings of the Committee

13. The article reported that record numbers of children would go hungry during the Summer holiday and that tens of thousands of children from disadvantaged homes would receive free meals at schools in a bid to tackle the issue. In this context, the article profiled a number of programmes which had been established across the country, one of which was the holiday club attended by the complainant's children in the London borough of Tower Hamlets. The piece drew a contrast between the wealth of the capital's neighbouring financial centre and the poverty in the borough, highlighting that 21,000 meals would be served as part of a council scheme. The Committee considered that publication of the image of the complainant's children in this context was misleading as it implied that the complainant's children were living in poverty and were in need of free meals during the Summer holiday. The complainant said that this was not the position and that her children had attended the holiday club for other reasons, which was not disputed by the publication. While the Committee acknowledged that the council's invitation to the publication to attend the club had explained that the club "alleviates some of the pressures families face during the school holiday period when free school meals are unavailable", the newspaper had not taken any steps to verify that the children appearing in the photograph were attending for these reasons, rather than for the activities which were also offered at the club. Given the sensitivity of the subject matter of the article and that the children were clearly identifiable, the Committee found that the publication of the image of the complaint's children, in the context of an article which focussed on child poverty, represented a failure to take care not to publish misleading information in breach of Clause 1(i). While the Committee acknowledged that the publication had removed the photograph, it did not make any offer to clarify or correct the misleading information and there was a further breach of Clause 1(ii).

14. Clause 6(ii) provides that children must not be approached or photographed at school without permission of the school authorities. In this case, the publication had been invited by the school authority to attend the holiday club and to take photographs; the Committee was therefore satisfied that there was no breach of Clause 6(ii). However, the article centred on child poverty and the need for some children to receive free meals, both sensitive issues involving the welfare of children. The image of the complainant's children was published in an un-pixelated form in order to illustrate the article and, as such, the terms of Clause 6(iii) were engaged. The Committee noted that the newspaper was invited by the school authority to take photographs at the club and that the authority had described the club in the terms noted above. However, in situations involving a child's welfare, a publication relying on a third party to obtain consent from a custodial parent should ensure that it represents informed consent for the purpose intended. The consent form, which the parents had signed, gave permission for their children to be photographed for "promotional purposes relating to this programme". The Committee considered that the limited purposes for which consent had been provided did not cover the taking of a photograph to illustrate an article which focused on child poverty. The consent of a custodial parent had not, therefore, been obtained to photograph the complainant's children for the purpose for which the image was used and there was a breach of Clause 6.

15. The complainant had provided consent for her children's photograph to be taken while they attended the club, and the image alone did not include any private information about them. As such, the photograph of the children had not been taken in circumstances where they had a reasonable expectation of privacy. There was no breach of Clause 2.

Conclusions

16. The complaint was partly upheld.

Remedial Action Required

17. Having upheld a breach of Clause 1 and Clause 6, the Committee considered what remedial action should be required. 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 terms and placement of which is determined by IPSO.

18. The Committee considered that the circumstances in this case were exceptional. The publication had been invited to take photographs by the school authority, albeit that the invitation would not mean that all of the obligations under the Code were satisfied. The Committee also acknowledged that the invitation to attend the club had referenced the provision of free meals at the holiday club when free school meals were otherwise unavailable and was sent together with a link to a child poverty report. There were, therefore, reasonable grounds for the publication's understanding that some of the children were attending the club for reasons linked to poverty. The Committee also noted that the publication had removed the photograph prior to the complainant complaining

to IPSO. Nevertheless, the publication did not take the necessary care to establish the reason for the attendance of the children before publishing the photograph and to ensure that the consent of a custodial parent had consented to the photograph being taken for the purpose intended. The Committee considered that the appropriate remedy was the publication of a correction to make the complainant's position clear.

19. The Committee then considered the placement of the correction. The article appeared on pages 4 and 5 in print. Therefore, the correction should appear on page 4 or further forward. It should also appear as a footnote to the online article. It should state that it has been published following an upheld ruling by the Independent Press Standards Organisation. The full wording and position should be agreed with IPSO in advance.

APPENDIX H

Paper No.	File Number	Name v Publication
1804	05157-19	Bashagha v thesun.co.uk
1795	05411-19	Lennox v The Jewish Chronicle
1803	06211-19	MacKenzie v Press & Journal
1734	02851-19	Mulliss v The Sun
1788	04850-19	Young v Teeside Live
1793	05158-19	Bashagha v Mail Online
1809	05337-19	Cameron v Sunday Mail
1810	07799-19	Morse v worcesternews.co.uk