

1. Apologies for Absence

Apologies were received from Helyn Mensah.

2. Declarations of Interest

Declarations of interest were received from Peter Wright for item 8.

3. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 9 June.

4. Matters arising

There were no matters arising.

5. Update by the Chairman – oral

The Chairman welcomed everyone to the meeting. He updated the Committee on how the team are coping with the volume of complaints and keeping up to date, despite challenging circumstances.

The Chairman handed over to Lauren Sloan, Head of Complaint for a pipeline update for the Committee.

She informed the Committee that the complaints numbers do continue to be high, with multiples continuing at a rapid rate. IPSO has had fifteen multiple complaints that have been rejected, as well as five multiples still in investigation stage. The last two weeks there have not been any multiples.

There were two Clause 14 complaints under investigation, regarding confidential sources, which was unusual.

The Chairman finished by announcing that Lara Fielden will be joining the IPSO Board and she will be attending one more Committee meeting.

6. Complaint 00074-20 Ali v The Jewish Chronicle

The Committee discussed the complaint and ruled that the complaint should be upheld under Clause 1. **A copy of the ruling appears in Appendix A.**

7. Complaint 00544-20 Ahmed v The Bolton News

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

8. Complaint 01293-20 Garner v Mail Online

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

9. Complaints not adjudicated at a Complaints Committee meeting

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

10. Any other business

There was no other business.

11. Date of next meeting

The date of the next meeting was confirmed as Wednesday 2nd September 2020.

The meeting ended at 12.02pm

Appendix A**Decision of the Complaints Committee 00074-20 Ali v The Jewish Chronicle****Summary of complaint**

1. Shahrar Ali complained to the Independent Press Standards Organisation that The Jewish Chronicle breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "Call for Green candidates to be suspended", published on 6 December 2019. The complainant also complained about the social media post by the publication, in which it shared the article.

2. The article reported on candidates for the Green Party who had been criticised for allegedly breaching the International Holocaust Remembrance Alliance (IHRA)'s definition of antisemitism. The article reported that one of these candidates "was revealed to have compared one of Israel's 2009 offensive on Gaza to the Shoah on Holocaust Memorial Day." It also reported that when footage of the speech emerged, the man tweeted that the "IHRA definition and examples [are] politically engineered to restrict criticism of Israel's heinous crimes upon the Palestinian people and actually beginning to succeed in that." It also reported that he proposed a motion at the Green Party conference last year calling for the party to resist adopting the IHRA definition of antisemitism. The article included a quote from the Board of Deputies President which stated that the candidates listed had "crossed a clear line in comparing Israel to Nazi Germany and blaming the victims by claiming the legitimate anxiety of the Jewish community about the rise of antisemitism is fabricated." The article also contained a quote from the Green Party, which stated that the party "utterly condemns and is committed to confronting antisemitism", and that "Any new allegations that come to light will be looked into".

3. The article also appeared online in substantially the same format, under the headline "Green Party urged to suspend candidates who breached IHRA definition of antisemitism".

4. The complainant, the candidate referred to, said that the article was inaccurate in breach of Clause 1 because the speech that the article was alluding to had not been made on Holocaust Memorial Day. He also said that he had not compared the Israeli – Palestine conflict to the Holocaust. He had said in a speech at the Protest for Gaza in 2009, protesting against Israeli action in Gaza, that "just because you observe the "niceties" of Holocaust Memorial Day does not mean that you have learned the lessons of history. Just because you surround yourself with sycophants and propagandists does not mean that you will not face the war crimes tribunal." He contended that this was clearly directly at Ehud Olmert, President Bush, and Tony Blair. The complainant provided a video of this speech. The complainant noted that whilst other articles had reported that he had compared the two, they had done so as allegations, and given him the right to reply, where this article had stated it as a fact, without reporting the basis for what he had said. He also said that the publication had printed a similar allegation in 2018, and he had disputed this with the journalist on Twitter and provided screenshots. The complainant also said it was inaccurate to report that he had breached the IHRA's definition of antisemitism and that the quotation from the Board of Deputies President was unjustified. Finally, he said that the publication had not contacted him prior to the publication of the article.

5. The publication accepted that it had inaccurately reported that the speech had not been made on Holocaust Memorial Day. It said that shortly after publication it had added the following footnote to the online article and removed the reference to the speech being made on Holocaust Memorial Day:

CORRECTION: An earlier version of this story stated Sharar Ali gave his speech on Holocaust Memorial Day.

However, the publication then deleted the article, and this correction, from its website after a legal claim from a third party. It offered the complainant the right of reply by publishing a letter and to publish the same correction in print in its regular corrections and clarifications column. It did not accept that it was misleading to report that he had compared the Shoah (the Holocaust) to Gaza, and said that the speech that the complainant provided was clearly a comparison. It said that other publications had also characterised the complainant's speech in this way and provided four other articles. It also said that it had reported that the complainant had compared the Holocaust to Gaza in 2018. The publication said it had not gone to the complainant for comment prior to publishing the article, as the speech was in the public domain, and it provided links for other articles which had similarly characterised the speech as being comparative. It also said it had, however, contacted the Green Party and published a quote from it within the article.

Relevant Code Provisions

6. Clause 1 (Accuracy)

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

Findings of the Committee

7. The complainant denied that it was reasonable to interpret his comments as constituting a comparison between the Holocaust and the 2009 Israel offensive. Notwithstanding this position, the publication was entitled to present its interpretation of the remarks. However, by stating as fact that the complainant had "compared one of Israel's 2009 offensive on Gaza to the Shoah", without quoting the reference or otherwise making clear that this represented its interpretation of the comments, the publication had failed to take care not to publish misleading information, and failed to distinguish between comment and fact, in breach of Clause 1 (i) and Clause 1 (iv). The quote from the Board of Deputies President was also placed without context, and it was unclear which of the candidates this was addressed to. The newspaper also accepted that it had assumed, incorrectly, that the speech had been made on Holocaust Memorial Day. The publication had failed to take care over the accuracy of these statements in breach of Clause 1(i).

8. The article had stated as fact that the complainant had compared Gaza to the Holocaust on Holocaust Memorial Day. The failure to make clear that the comparison represented the publication's characterisation of the comments was significantly misleading and required clarification under Clause 1 (ii). The inaccuracy on the timing of the comments was significant given the sensitivity of the occasion and required correction. The publication had published a correction in the online version of the article only, which did not identify and correct all the inaccuracies, and was then deleted. This did not fulfil the publication's obligations under Clause 1 (ii). Therefore there was a further breach of Clause 1(ii).

Conclusions

9. The complaint was upheld.

Remedial Action Required

10. Having upheld a breach of Clause 1, 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.

11. The Committee had found that the publication had failed to take care over the accuracy of several claims, and that its correction had been inadequate. However, it noted that the claims constituted a brief reference within an article that related to the actions of a number of individuals within a political party. In the full circumstances, it decided that the appropriate remedy was the publication of a correction to put the correct position on record.

12. The Committee then considered the placement of the correction. The print article had been published on page 6 of the newspaper. The Committee therefore required publication of a correction on page 6 of the newspaper, or further forward. The correction should also be published on the newspaper's website, appearing on the top half of the newspaper's homepage, on the first screen, for 24 hours; it should then be archived in the usual way. The correction 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.

Date complaint received: 04/01/2020

Date complaint concluded by IPSO: 24/09/2020

Appendix B

Decision of the Complaints Committee 00544-20 Ahmed v The Bolton News

Summary of complaint

1. Abdul Ahmed complained to the Independent Press Standards Organisation that The Bolton News breached Clause 1 (Accuracy) and Clause 2 (Privacy) of the Editors' Code of Practice in an article headlined "Two years of 'party house' hell", published on 29 January 2020.
2. The article reported on a Saturday night party which had occurred in a property that had been rented out on Airbnb, which was stated to be across "the road from the [named] pub". The subheadline of the article reported that "Neighbours [had been] kept awake until 6am by teenagers using holiday home for parties". The article contained several allegations from neighbours to the property who said that there had been parties at the property. One commented that "I have contacted the owner via Airbnb on numerous occasions to stop this happening but I have never had a response. There was once a party on a Thursday night going on until 6.30am and the police were called. There have been around five or six parties in the last two months". It also reported that the party was "another addition to two years of problems while the house has been advertised on accommodation sites." The article also contained a quote from Airbnb that there had been "no previous reports of any issues with the property" and that it had "responded to a complaint made this weekend, made through the website's Neighbour Support Tool, and removed the person who booked the home from the service".
3. The article also appeared online and had been amended when the newspaper was alerted to the complaint, however, it was unable to provide the original version. Nevertheless, the publication confirmed that the original online article was identical to the version published in print.
4. The complainant, the owner of the property being rented on Airbnb, said that the article was inaccurate in breach of Clause 1 as, whilst he accepted there had been a party on the Saturday night, there had not been any previous parties, nor had the police been called about them, nor had he received any complaints from the neighbours through Airbnb. He said the fact that Airbnb had stated that this was the first complaint about this property confirmed this. He also said that it was inaccurate to describe the house as a "party house" as this gave the misleading impression it was being let as a house to party in, when in fact parties were not allowed at the property. The complainant said he had not been contacted prior to the publication in order to deny the allegations.
5. The complainant also said that the article intruded into his private life in breach of Clause 2 because it included photographs of the property, one of which showed his car and its registration plate. He also said that whilst his property could be found on Airbnb, its precise location was not available until the person had booked it, whereas the article had stated it was across "the road from the [named] pub".
6. The publication did not accept a breach of the Code. It said that the allegations that there had been several parties and that the police had been called in the past had been based on a discussion with several neighbours and had been presented as claims in the article rather than asserted as fact. It did not consider that it was misleading to term the house a "party house" where the complainant accepted that a large house party had taken place there on the Saturday night. The publication said it believed that the complainant had been contacted prior to the article being published, however it could not confirm this as it no longer employed the reporter who had written the story. Nevertheless, it did not dispute the account of the complainant that he had not been contacted before publication. It said that, in any case, it had received a comment from Airbnb who had confirmed that there had been a party on the Saturday night, though as the reporter had left the publication it

could not provide any details as to which allegations had been put to Airbnb. After receiving a complaint directly from the complainant, the online article was amended to include that “[t]he owner of the property told The Bolton News that the terrace is not a party house and that he shut the party down at 10.30pm”. A follow-up article centred on the complainant’s denials was also published.

7. The publication said that the photograph of the property was from a public listing on Airbnb and therefore there was no reasonable expectation of privacy over it. It also said that the complainant had not been named in the article, nor had his personal address been used.

Relevant Code Provisions

8. 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.

9. 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

10. Clause 1 (i) requires that care is taken over the accuracy of published information; it does not include a standalone requirement for publications to contact the subject of stories for comment. Nonetheless, in some circumstances such an approach may be necessary in order for a publication to fulfil its obligation to take care. The publication in this instance had contacted Airbnb for comment before publication; the question was whether it was also obliged to contact the complainant directly.

11. The Committee considered the nature of the claims and the way in which they were presented. In this instance, the article had included comments and allegations from the complainant’s neighbours, which had been clearly attributed to them; throughout it was made clear that the claims were allegations and not established fact. The majority of the disputed allegations centred on events at the house, at which the complainant was not said to be present, and not the complainant specifically. The substance of these allegations was

addressed in the comment by Airbnb, which was included in the article. The only disputed reference to the complainant (who was not named) was the claim by one source that the owner had not responded to previous complaints via Airbnb.

12. Having considered the nature of the allegations, the manner in which they were presented, and the inclusion of the comment by Airbnb, the Committee concluded that the publication's decision not to contact the complainant for his personal comment did not constitute a failure to take care over the accuracy of the article. Nor was the article significantly inaccurate or misleading such that a correction was required under Clause 1 (ii).

13. The headline had stated that there had been "Two years of 'party house' hell". Where the term "party house" was in quotation marks, this was distinguishable as comment. Whilst the complainant disputed that there had been problems for two years, it was not considered that "two years of hell" was a statement of fact, and the article went on to make clear that the "two years of hell" was the view of the neighbours. Where the basis was provided in the article, the publication had taken care not to publish inaccurate material, and had distinguished between comment, conjecture and fact. There was no breach of Clause 1 on this point.

14. The article contained photographs which showed the outside of the house and the complainant's car, which could be seen from a public road. The article did not report that the car belonged to the complainant, nor was the registration plate included in the print version of legible in the online version. In any case, these images did not disclose information about which the complainant had an expectation of privacy. In addition, whilst the address of the property was not listed publicly, the rough location described in the article as being opposite a named pub was also not something about which the complainant had a reasonable expectation of privacy. There was no breach of Clause 2.

Conclusions

15. The complaint was not upheld.

Remedial Action Required

16. N/A

Date complaint received: 29/01/2020

Date complaint concluded by IPSO: 22/09/2020

Appendix C

Decision of the Complaints Committee 01293--20 Garner v Mail Online

Summary of complaint

1. Mandy Garner complained to the Independent Press Standards Organisation that Mail Online breached Clause 4 (Intrusion into grief or shock) of the Editors' Code of Practice in an article headlined "EXCLUSIVE: Shocking moment young woman is killed by speeding hit-and-run driver escaping police - as she is flung 20 feet into the air and lands in front of horrified onlookers at London bus stop", published on 20 February 2020.
2. The article reported that a young woman had died the night before after being hit by a speeding car. It described the woman as having been "catapulted 20 feet in the air" and then was "flung across the road". The article included a video of the incident, which showed the woman crossing the road as the speeding car drove towards her. The video did not show the moment that the woman was hit by the car, but instead cut to a different angle showing the moments after she was struck. From this angle, the video showed a pixilated image of the woman's body as she was being attended to by members of the public before the arrival of the emergency services. The article reported that the video was CCTV footage from a local newsagent and was provided to the publication "in a bid to help trace" the driver of the car, who had failed to stop at the scene. It included a statement from the police confirming the details of the incident, and that the police itself were under investigation for their role in the events prior to the collision. It said that the woman's next of kin were in the process of being informed.
3. The complainant was the mother of the woman who died. She said that the publication of the video in the article was extremely distressing to her and her family and represented a breach of Clause 4. She said that she was not informed that the video would be published and was only made aware of its existence after she was contacted by a friend of her daughter. She said that it was not the case that the publication could justify publishing the video on the basis that it would bring forward witnesses – it was her understanding that the publication had been asked by the police not to publish the video as it would cause the family distress. As such, she said that the inclusion of the video in the article was gratuitous, and the decision to publish it was taken despite it knowing that this would upset her and her family.
4. During IPSO's investigation, the complainant contacted her family liaison officer to confirm her understanding of events. The officer confirmed that the publication had contacted the police about the video, and the police had asked for it not to be published as it was its opinion that it was insensitive. When the publication refused, it asked for the moment of collision to be edited out, and publication delayed until the officer had met with the family. The complainant said that her meeting with her family liaison officer took place after the video had been added to the article. At this meeting, the officer mentioned that there could be media coverage, but the complainant said she did not recall being told that there was CCTV footage, or that a video would be published. She reiterated that she was only made aware of its existence the following day, after she was contacted by a friend of her daughter.
5. The publication offered its condolences to the family but did not accept that the inclusion of the video breached Clause 4. It said that although it accepted that the video would be very upsetting to the family, consideration had been given to the terms of Clause 4, and it had taken steps to minimise the intrusion into the family's grief. It said that it had included parts of the video with the intention that they may prompt readers to come forward with information that may help locate the driver of the car; this was made clear in the article. It said that only the outline of the woman was visible, and she was not identifiable – in contrast, it said that the car was quite clear. Furthermore, it noted that

there was an ongoing investigation into the police's role in the events prior to the incident; it was reasonable to include the video as part of the examination of what had happened. In order to demonstrate the consideration given to its obligations under Clause 4 prior to publication, it provided an internal email from the newsdesk to the editorial compliance department, asking for advice on the video. The editorial compliance department said that it thought the video was "fine" and that there was a public interest in showing the circumstances prior to the incident. In that correspondence, the publication had also referred to a previous IPSO decision, which related to a video of a person being struck by a car which also did not include the moment of impact, and noted that this decision was not upheld by the Committee as a breach of Clause 4.

6. The publication said that when the reporter obtained the footage, he contacted the police. During the course of IPSO's investigation, it provided a statement from a police officer which showed that the officer who had been approached by the reporter had asked him not to publish the video as it would upset the family. Although the publication did not agree to this request, it said that it would delay publication until the family had been informed. The police originally asked for four hours to inform the family; the newspaper said that this was not possible and said that the video would be published in approximately one hour. The statement provided by the police said that an officer had spoken with the woman's father on the phone to inform him that an edited video would be published, and that the officer had confirmed to the reporter that this had taken place. As such, it said that it was satisfied that the family were aware that the video would be published prior to publication. The publication said that when it was contacted by a member of the woman's family, it removed the video, and said that it would be happy to lend its resources to removing any third-party copies of the video if they were brought to its attention.

Relevant Code Provisions

7. 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

8. The Committee expressed its sincere condolences to the complainant and her family for the loss of her daughter.

9. The Committee carefully considered whether the publication had complied with the terms of Clause 4, both in relation to the content of the video itself, and the circumstances in which it was published, which included the timing and the publication's contact with police before publication.

10. The Committee recognised that the publication of the video of this nature was highly sensitive, particularly so soon after the death and considered first whether its publication in itself breached the terms of Clause 4. The Committee noted the nature of the footage. The video was of poor quality and had been edited in such a way that it did not show the moment of impact. The complainant's daughter was not readily recognisable from the footage as the woman involved in the incident. Furthermore, the images, which had been taken from a public place, did not show the extent or nature of her injuries. While the Committee acknowledged the family's position that the footage should not have been published in any form, it concluded that the publication of the video, as a part of a news report on the incident, in itself did not breach Clause 4.

11. The Committee also considered whether the timing of publication and contacts between the publication and the police prior to publication had complied with Clause 4. The publication had independently obtained the footage shortly after the incident had taken place and had shared it with the police. The complainant said that the family had not been aware of the footage before publication, which was extremely regrettable. However, the publication had supplied correspondence which showed that it had received confirmation from police before publication that the family had been informed. While the Committee noted that the police had originally requested that the video should not be published, the terms of Clause 4 do not require editors to comply with requests by police of this nature. While the Committee expressed concern about the relatively short time frame that had been provided for the police to inform the family prior to publication, on balance it concluded that the publication had adequately met the requirements of Clause 4.

Conclusions

12. The complaint was not upheld.

Remedial action

13. N/A

Date complaint received: 29/02/20

Date decision issued: 28/09/20

Appendix D

Paper No.	File Number	Name v Publication
1927	00464-20	Goodwin v County Times
1937	01139	Wood v Grimsby Telegraph
1941		Request for review
1942	00527-20	Ekin-Daukes v The Times
1947		Request for review
1938	00128-20/00129-20/00130-20	Freeley v telegraphandargus.co.uk/ilkleygazette.co.uk/wharfdaleobser.co.uk
1946	02972-20	Various v Daily Express
1951	00583-20	Giblin-Jowett v express.co.uk
1952		Request for review
1948	01445-20	Robertson v Telegraph.co.uk
1953	01828-20	Coates v buckfreepress.co.uk
1955		Request for review
1943	00541-20	Newman v Daily Record
1958		Request for review
1960	00939-20	Wilson v bournemouthecho.co.uk
1962		Request for review
1965		Request for review
1968	04850-20	Shepherd v The Sun
1972		Request for review
1964	06667-20	Bromley v The Spectator
1975		Request for review