



# Complaints Report No 73

April 2006 – September 2006



# The Commission

**Sir Christopher Meyer KCMG**

(Chairman)

**Matti Alderson**

Former Director General, Advertising Standards Authority

**Roger Alton**

Editor, The Observer

**Edmund Curran (until April 2006)**

Editor, Belfast Telegraph

**Paul Dacre**

Editor in Chief, Associated Newspapers

Editor, The Daily Mail

**Jane Ennis**

Editor, NOW magazine

**Spencer Feeney (from May 2006)**

Editor in Chief, South Wales Evening Post

**Colleen Harris MVO, FRSA (from August 2006)**

Director of Strategy and Communications, Commission for Racial Equality

**Vivien Hepworth**

Former Chairman, Surrey and Sussex Health NHS Trust

**Peter Hill**

Editor, Daily Express

**Paul Horrocks**

Editor, Manchester Evening News

**Ian Nichol**

Accountant

Member of Criminal Cases Review Commission

**Adam Phillips**

Chairman, ESOMAR Professional Standards Committee

**Eve Salomon**

Solicitor

Former Director of Legal Services, Radio Authority

**Dianne Thompson CBE**

Chief Executive, Camelot Group plc

**Derek Tucker**

Editor, Aberdeen Press & Journal

**Rear Admiral Nick Wilkinson CB**

Secretary of the Defence, Press and Broadcasting Advisory Committee 1999-2004

Principal of the Joint Service Defence College at Greenwich 1994-1997

**The Right Rev. John Waine KCVO**

Chairman of the University of Essex Foundation

Bishop of Chelmsford 1986-1996

Clerk of the Closet to The Queen 1989-1996

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## How to **complain**

Complaints must be made in writing, addressed to:

**Press Complaints Commission, Halton House, 20/23 Holborn, London EC1N 2JD**

Alternatively, complaints can be made by email. Details are on page 83.

Complainants are asked to include a copy of the relevant article, the name and date of publication and to identify in what way they believe that the article has breached the Code of Practice. A full explanation of the Commission's procedure is given in its How to Complain leaflet, available free from the PCC. Information is also available in a range of languages other than English.

The Press Complaints Commission is an independent organisation set up in 1991 to ensure that British newspapers and magazines follow the letter and spirit of an ethical Code of Practice dealing with issues such as inaccuracy, privacy, misrepresentation and harassment.

A significant proportion of the complaints received by the PCC which raise a prima facie breach of the Code are resolved directly and swiftly by editors following the intervention of the Commission. The Commission adjudicates formally on the remainder. All critical adjudications are published in full and with due prominence by the publications involved.

# Complaints summary

## Complaints dealt with during **April 2006 – September 2006**

### Complaints made **under the Code**

Resolved or sufficient action offered to resolve <sup>1</sup>	291
Not pursued by complainant	70
Adjudicated	13
Upheld	5
Sufficient action offered	2
Rejected	6
No breach of the Code	254

### Complaints not investigated **under the Code**

Outside remit <sup>2</sup>	472
Disallowed on ground of unjustified delay	13
Third party complaints	46
Complaints not formalised <sup>3</sup>	522

**Total of all complaints** **1681**

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#### Explanation:

- 1 These are complaints resolved to the express satisfaction of those complaining or those in which the Commission judged that an offer of remedial action by the editor was sufficient to remedy any possible breach of the Code of Practice.
- 2 These complaints related to areas falling outside the Commission's terms of reference such as advertising material, contractual disputes and questions of taste.
- 3 This total includes cases in which initial contact with the PCC was made by complainants, but which were not pursued past an initial stage.

## **1** **Burton Mail**

### **Complaint**

Mr Gavin Bagnall of Bagnall Coaches complained to the Press Complaints Commission that an article headlined “Hold-ups after coach crash” published in the Burton Mail on 26 January was inaccurate in breach of Clause 1 (Accuracy).

The complaint was upheld.

The short news item reported that traffic in the Derbyshire town of Swadlincote had been held up after a coach owned by Bagnall Coaches had collided with a car. The complainant said that this was misleading as it implied that the coach and its driver had been at fault. In fact, the coach had been stationary when it had been hit by the car. The complainant thought the newspaper should apologise and publish a correction.

The newspaper accepted that the coach had been stationary, but said that the article had been based on information from the police, something it had explained to the complainant on the telephone while apologising to him for the error. The complainant had appeared to accept this apology, and had made no request for a correction to be published. The editor had spoken to all reporters to remind them to exercise caution when using the verb “to collide”, but did not intend to publish a correction in light of the amount of time that had now passed.

The complainant denied that any apology had been made by telephone.

### **Adjudication**

The Commission was surprised that the editor would not resolve this straightforward matter, as most complaints of this type are settled quickly and amicably without the need for a formal adjudication. It was clear that there was a material inaccuracy in the article. All parties accepted that the Bagnall coach had been stationary at the time of the incident, and that it was therefore misleading to state that the coach ‘collided with a Renault Clio’. While the newspaper may have been given the wrong information by a third party, Clause 1 (Accuracy) of the Code clearly states that “a significant inaccuracy... once recognised must be corrected, promptly and with due prominence”. The editor had failed to comply with this requirement, resulting in a breach of the Code.

*Ref: 06-0354*

## **2** Cambridge Evening News

### **Complaint**

Mr John Foster of Bromley complained to the Press Complaints Commission that an article published in the Cambridge Evening News on 6th May 2006, headlined "Ultimate act of betrayal", was inaccurate and intrusive at a time of personal grief and shock in breach of Clauses 1 (Accuracy) and 5 (Intrusion into grief or shock). He was also concerned that the article was based upon his private correspondence with the editor, the publication of which he considered to be a breach of Clauses 3 (Privacy) and 14 (Confidential sources) of the Code.

The complaint was not upheld.

The article revealed the details of an e-mail exchange between the complainant and the newspaper's editor about the stabbing of the complainant's mistress (Julie Simpson) by his wife (Alethea Foster). In it, the complainant discussed the coverage of the case, including the possibility of the sale of photographs or the story of Ms Simpson to the media. The article suggested that the e-mails represented a further 'betrayal' by the complainant of his wife.

The complainant said that his contact with the editor was on a confidential basis, and that this had been made clear at an early stage during a telephone conversation and at several points during the correspondence. He argued that publishing their contents was a breach of Clauses 3 and 14, and that the article had caused him grief and shock in breach of Clause 5.

He said that, once published, his remarks were taken out of context and published misleadingly. His behaviour was not a betrayal of his wife. The e-mails were not secret, being known to his wife, family and Ms Simpson – something they all confirmed in letters to the Commission. Neither was it correct that he had 'secretly' sent 'a series of pictures of his wife and ex-lover within days of the knifing'. Both women knew that he had sent a picture of his wife, followed by one of Ms Simpson several weeks after the incident.

The complainant also said the reference to his description

of his wife as 'an old slag or old lag' was taken out of context. In fact, she had herself made such a remark in relation to a previously published photograph, and he had wanted to provide a better one. Other inaccuracies included that he was continuing to 'go between both women', and that he had initially contacted the newspaper to find out the condition of Ms Simpson when she was in hospital. Once contact with the newspaper had been established, he had responded to the newspaper's requests for further information, but was not trying to manipulate the newspaper's coverage of the case.

The editor did not consider that he had any moral obligation to keep the correspondence confidential or private; in fact, he said, it was in the public interest to reveal the ongoing actions and attitudes of the complainant, which amounted to evidence of his 'serious impropriety'. It also helped to place into context the violent attack that had taken place at a college in the country's leading university.

He explained that the complainant had initially made contact just eight days after the knife attack, when he had telephoned to correct some minor errors in an earlier report and offer a picture of his wife. He said at this point that he was having difficulty obtaining information about the condition of Ms Simpson. The only subject that the editor explicitly agreed to keep confidential concerned the money raised from the photograph. The subsequent email correspondence showed that the editor at no stage promised to treat the information, or the correspondence, as private or confidential.

The editor said that the material that emerged during the trial shed new light on the e-mails the complainant had been sending the editor, as it became clear that he had been having an affair with Ms Simpson for many years and had 'play[ed] off one woman against the other'. This behaviour was also apparent in the e-mails the complainant had sent to the editor, in which it was clear that he was still in touch with both women and refused to accept any responsibility for the situation. Indeed, he had been prepared to feed the newspaper with information – including tasteless jokes about the plight of both women – while otherwise painting himself as an innocent bystander. The article had accurately quoted the complainant's e-mails in their proper context.

The editor said that the complainant had then proceeded to send unsolicited emails to the newspaper as the case progressed. The newspaper considered that its attitude to the complainant over the period had been sympathetic and discreet in terms of the contact with him and Ms Simpson. There was no breach of Clause 5, the editor argued, as the published material to which the complainant took exception did not appear until after the trial, some seven months after the incident itself.

The complainant said that while the newspaper could have used some of the factual information he provided, it should not have revealed his identity as the source of the material. It should have been perfectly clear that the contact between him and the newspaper was to remain confidential. The editor had, after all, stated at one point that: 'I appreciate you having the courage to phone and chat off the record' and 'our conversation remains between the two of us' – which the complainant took to mean the entire subject under discussion, not merely the agreement surrounding the picture. When on another occasion the complainant had ended another e-mail 'please treat this as confidential', the editor had said 'no problem' in the first line of his reply. The complainant disputed the newspaper's account of what had happened between him, his wife and Ms Simpson, because he was not called as a witness at the trial, so the newspaper's claims about him in correspondence with the PCC had not properly been tested in court.

## Adjudication

The Commission first considered the complaint under Clause 14. It was clear to the Commission that there was a considerable dispute between the complainant and the editor, particularly about what had been agreed during the initial conversation that set the tone for the subsequent

correspondence. It seemed that the complainant considered that this conversation established that their contact would be kept confidential, and that the content of his e-mails – which included several specific statements to that effect – reinforced this. It was not, however, within the Commission's power to establish what had been agreed during that conversation, and it had to adjudicate on the basis of the evidence before it.

It was true that the complainant regularly made clear in his e-mails that he regarded the contents as confidential. The difficulty was that there was no evidence that the newspaper had accepted that it would treat the complainant as a confidential source in all its dealings with him. Clearly the complainant felt that he had this status with the newspaper. But there was no explicit recognition of this – something that would have been important for Clause 14 (Confidential sources) to be engaged in the context of this case, which was that the complainant was central to the story, and it had been suggested that he may have been seeking to influence the coverage of the case on his own terms.

The Commission did not believe that in these circumstances there was a moral obligation on the newspaper to avoid identifying him in the subsequent article. On that basis, the Commission did not consider that there was an issue to pursue under the terms of Clause 14.

The complainant also claimed a breach of Clause 3 (Privacy) in regard to the newspaper's alleged failure to respect his private life, which specifically includes "correspondence, including digital communications". This part of the Code is taken to protect people from the unauthorised publication of correspondence between two private individuals – not information sent directly to a newspaper. There was nothing private about the relationship between the editor and the complainant, and much of the material was in any case for a wider audience, albeit on an unattributable basis. Moreover, the information could not reasonably be considered to relate to the complainant's private life, but rather was background to a public and high profile trial about which there had been much public discussion. Against that background, the Commission was satisfied that there was no breach of Clause 3 (Privacy) of the Code.

The Commission then turned to the complaint under Clause 1 (Accuracy) of the Code. Much of this part of the complaint appeared to rest on the critical manner in which the newspaper had presented the complainant's comments. While the complainant doubtless objected to the conclusions about his behaviour that the

newspaper had reached, the paper was entitled to form a robust view of the matter and did not appear to have quoted inaccurately from the e-mails. It was clearly the newspaper's view that the content of the e-mails amounted to a 'betrayal' of the complainant's wife, for the reasons that the editor outlined, and the Commission saw no breach of the Code in the description of the messages as secret given the complainant's strong view that he should not have been publicly associated with them.

There were a number of discrepancies highlighted by the complainant – most notably the claim that he had contacted the newspaper in order to find out information about the condition of Ms Simpson – but the Commission did not consider that any of them, in the context of the article read as a whole, were so significant as to raise a breach of the Code or require a remedial response on the part of the newspaper. There was no breach of Clause 1 established by this complaint.

Finally, the Commission considered the complaint under Clause 5 (Intrusion into grief or shock), which is generally relevant in the immediate aftermath of a bereavement or other shocking event. On this occasion, the article had been published several months after the incident, following a high-profile trial. The Commission did not consider that there could be a possible breach of Clause 5 in such circumstances.

*Ref: 06-1435*



## **3** Chat Magazine

### **Complaint**

Ms Laura Moffatt MP complained to the Press Complaints Commission under Clause 16 (Payment to criminals) of the Code that a convicted criminal may have been paid by Chat magazine for an article published on 23rd March 2006 headlined “Why I slept with my own son”.

The complaint was upheld.

The article was the story of Sylvia Payne, who had been convicted of unlawful sex with a member of her own family after sleeping with her teenage son.

The complainant wrote to the PCC, concerned that an article on this subject had been published at all. She also questioned whether Ms Payne had been paid for the story.

The magazine admitted to paying an agency, which in turn had paid Sylvia Payne and her son, for the story. It said that the information was in the public domain through coverage elsewhere, but accepted that payment should not have been made. It indicated that it would be apologising to the two readers who had written expressing concern about the article and that steps would be taken to ensure that the error would not be repeated in future.

### **Adjudication**

This was the first occasion on which the Commission has had to adjudicate a complaint under Clause 16 since the rules on payments to criminals changed in 2004.

The Code now says that payment should not be made to convicted criminals or their associates for stories that ‘exploit a particular crime’. This article described and seemed to try to justify a criminal act. Ms Payne was quoted in the piece saying that the only thing she regretted about the crime was getting caught. While she had a right to express this view, paying her was a clear breach of the Code on the part of the magazine. There was no conceivable public interest justification for the payment.

The magazine’s conduct in not having regard to the Code was unacceptable. The Commission expects the editor, following receipt of this adjudication, to inform it what steps she has taken to ensure that similar breaches of the Code do not occur in future.

*Ref: 06-0815*

## 4 Evening Standard

### Complaint

Transport for London complained to the Press Complaints Commission through Eversheds Solicitors of Queen Victoria Street, London that two articles published in the Evening Standard on 21 November, headlined “81% oppose move to axe Routemaster” and “London’s favourite”, and a further piece published on 7 December, headlined “End of the road for the Routemaster, 1956-2005”, were inaccurate in breach of Clause 1 (Accuracy) of the Code of Practice.

The Commission found that there had been a breach of Clause 1 of the Code, but considered that the steps taken and offered by the editor constituted a sufficient remedy to the complaint. No further action was therefore required.

Transport for London (TFL) complained that the articles were wrong in their assertion that an opinion poll by Populus demonstrated that as many disabled respondents as non-disabled were in favour of retaining Routemaster buses. In fact, the poll had asked respondents whether they or any member of their family had a disability, not whether they themselves were disabled. TFL said its spokesman had made clear to the newspaper even before publication that its analysis of the poll was wrong.

TFL also complained that a remark had been inaccurately attributed to its spokesman and added to a part of its official statement. The first sentence of the quote published by the newspaper in its 21 November piece (which read “The campaign to retain the Routemaster will have no effect on us whatsoever. These changes have brought better service reliability and accessibility and London has responded with millions more passengers travelling by bus everyday”) was, therefore, erroneous. By TFL’s account its spokesman had simply ‘reminded [the reporter] of a conversation we had several months previously when he had challenged me to tell him that the Standard’s campaign

had made no difference in policy and I had replied it had made absolutely no difference in policy whatsoever’.

The newspaper said it had sought to clarify the position at an early stage by publishing a letter from Transport for All which took issue with its analysis of the opinion poll. It had also published an op-ed piece from Peter Hendy of TFL in which he could have referred to the Populus poll if he had so chosen. In addition to these steps the newspaper offered to publish a further correction and expression of regret for any misunderstanding.

With regard to the second part of the complaint, the newspaper did not consider that it had acted improperly. It had quoted a remark made by TFL’s spokesman during an off the record part of a conversation with its journalist and had published it in conjunction with part of TFL’s official response. According to the newspaper, its journalist took notes of his conversation with the spokesman straight onto his PC. These recorded the spokesman as saying ‘remember 6 months ago I told you the campaign to save the Rm will have no effect on us whatsoever that’s still the case’. Nevertheless, it was prepared to remove the relevant article from its website and attach a note to its archive files making clear that TFL disputed the accuracy of the reported quote.

## Adjudication

The poll had asked for the views of those who were disabled or who had disabled relatives. The article had presented their opinions solely as the views of disabled people. This was clearly misleading in breach of the Code.

It was therefore incumbent on the newspaper to take steps to remedy its mistake. While it was regrettable that it had taken some time to offer a correction – which the Commission considered was necessary under the Code – the newspaper had also published a letter and some articles which made opposing points about the desirability of retaining the Routemaster buses from the point of view of disabled people. Taken together, this was sufficient for the Commission to conclude that no further action was necessary.

In relation to the second part of the complaint, the Commission did not consider that it was possible to come to a conclusive view on what precisely had been said by TFL's spokesman, although it did not consider the two accounts were particularly far apart. Nonetheless, the Commission welcomed the newspaper's offer to remove the article from its website and to tag its internal library files with a note making clear that TFL disputed the accuracy of the quote. This was a sufficient response.

*Ref: 06-0203*

## 5 The Guardian

### Complaint

Mr Alex Safian of CAMERA complained to the Press Complaints Commission that two articles headlined “Worlds apart” and “Brothers in arms – Israel’s secret pact with Pretoria” published in The Guardian on 6 February and 7 February were inaccurate in breach of Clause 1 (Accuracy).

The complaint was not upheld.

The articles compared Israel and apartheid South Africa, contending that there were many similarities between policies in the two countries. It also argued that there was an alliance between the countries which led to Israel providing South Africa with the technology that was central to its development of nuclear bombs.

The complainant said that the vast majority of the arguments used in the articles to compare Israel to apartheid South Africa were based on materially false accusations. The journalist had falsely attributed to Israeli leaders such as Ariel Sharon and Uzi Landau extreme anti-Arab positions. There was an inherent deception in the journalist’s choices of interviewees, which constituted a wide range of Israel’s critics. The journalist had repeatedly attacked Israel and its Jewish citizens as racist practitioners of Apartheid.

In addition, the complainant argued that there were a number of points of material inaccuracy in the articles, of which the following appeared to the Commission to be the most significant in terms of the Code.

First, he objected to the contention that Israeli governments reserved 93% of the land for Jews through state ownership, the Jewish National Fund and the Israeli Lands Authority. While this claim was common and appeared on thousands of websites and in many books, it was false. The Israel Land Administration administered the 79.5% of land owned by the government and the 14% owned by the JNF, totalling 93.5% of all land. State-owned land was equally available to all citizens of Israel, Jews and non-Jews.

Second, the articles falsely claimed that Israeli law barred Muslims and Christians from living in the Jewish Quarter of Jerusalem’s Old City. In fact, the complainant said, non-Jews lived in the Jewish Quarter in substantial numbers while relatively few Jews lived in the Muslim Quarter. According to the most recent figures, at least 480 Muslims – or 22.5% of the population – lived in the Jewish Quarter; Jews made up only 1.68% of the Muslim Quarter’s population. The expert, who had been quoted on this point in the articles, was not reliable.

Third, it was also incorrect that the Jerusalem’s Arab residents were denied permission to build new homes or expand existing ones. Arabs in Jerusalem received building permits at the same rate as Ultra-Orthodox Jews, and paid an identical fee for water and sewage hook-ups. There were a number of reasons why Arabs chose to build illegally rather than applying for permits, including that to apply recognised Israeli control over the city, and that applying for permits cost a few thousand dollars.

Fourth, the claim that Israel prevented Israeli Arabs from forming their own political parties until the 1980s was inaccurate. Arabs had never been prevented from forming their own parties. In the 1977 elections, the Arab-dominated *Democratic Front for Peace and Equality* won five Knesset seats; a number of smaller Arab parties ran unsuccessfully including the Arab Reform Movement and Coexistence with Justice. The *Democratic Front for Peace and Equality* had been backed by the PLO. While there were affiliated parties, Arab Reform Movement and Coexistence with Justice were genuinely independent Arab parties.

Finally, the journalist’s contention that Israel provided

expertise and technology central to South Africa's development of its nuclear bombs – and its arms industry more generally – had been based on a few vague remarks of Alon Liel. Although there had been speculation over Israeli-South African collusion on developing a nuclear weapon, the evidence argued against significant cooperation. The Africa Confidential article referred to by the newspaper did not support its charges.

The newspaper said that the journalist had spent a number of years living in Israel and South Africa, and that he had drawn on his own experiences, observations and research, and had included a wide range of interviewees chosen for their specialist knowledge of the various issues. CAMERA was a pro-Israel pressure group that sought to influence press coverage of Israel, and contended that there was no systematic discrimination in Israel. The complainant was seeking to impose a political viewpoint. Many of his points were matters of interpretation, and some related to claims made by those interviewed and not by the journalist. The subject matter was largely historic, disputed and contentious, but the journalist's work was based on sound and accurate journalism.

The newspaper stood by the claim that 93% of the land in Israel was reserved for Jews. Around 70% of Israelis lived on JNF-owned land as it covered some of the most fertile and urbanised areas; much of the rest of the land was desert or water. JNF land could only be sold or leased to Jews and Jewish leaseholders were prevented from subletting to non-Jews. When human rights groups challenged this situation in 2005, the JNF threatened to cut all legal ties with the state to prevent anyone but Jews building on its land. The state-owned land administered by the ILA was less valuable, but almost none of it was leased to Arabs for farming. In any case, almost half of the ILA's board of directors was appointed by the JNF, whose policies set the policies for the use of the rest of state land. Israeli governments and the ILA applied the JNF's principles to state-owned land; it was wrong to contend that the state-owned land was equally available to Jews and Arab citizens.

On the point of non-Jews living in the Jewish Quarter of Jerusalem, the newspaper said that the claim came from a local lawyer, who was directly quoted. The government figures cited by the complainant hinged on definitions of what constituted the Jewish and Muslim Quarters: the Israeli government had one and Muslim authorities another. There was evidence to suggest that there were more Jews living in the non-Jewish quarters of the old city than non-Jews living in the Jewish Quarter.

The complainant had ignored the statistics quoted in the article that 1,695 building permits had been awarded in Jerusalem, with only 116 falling within the Arab parts of East Jerusalem. In 2005, 212,789 sq metres were built with permits in Jerusalem; 7% was in Arab neighbourhoods. Although all building permit applications by Arab residents in East Jerusalem were approved, the city authority operated a system where Arab residents needed clearance to apply for building permits; they could be rejected on several grounds. The city did not keep statistics on how many Arabs were told they could not apply, but in 2001 the authorities said that 1,367 homes were built illegally in Arab neighbourhoods of Jerusalem, which gave some indication as to how many people wanted to build homes.

Arab Israelis were subject to military rule from 1949 to 1966 and came under restrictions on their freedom of speech and right to organise politically; this included an effective ban on political parties. The practical effect was to direct Arab political activity towards parties led by Jewish Israelis. The *Democratic Front for Peace and Equality* was not an Arab party as such; it was a communist party led by a Jew with no Arab nationalist element. Other ostensibly Arab parties were affiliated to the main Israeli parties. It was not until the 1980s that truly independent Arab parties emerged. The Israeli Supreme Court upheld the right of the government to ban Arab parties that proposed that Israel should not be defined as a Jewish state. There were still attempts to restrict Arab political activity. Moreover, the article had not indicated that there was a law that restricted the formation of Arab parties.

Information about Israel's nuclear cooperation first emerged in the 1980s and was expanded on at the end of apartheid. Publications documented details of a secret trial in the mid-1980s at which it emerged that South Africa sold yellowcake to Israel and Israel supplied enough tritium to South Africa to manufacture 12 atomic bombs. The newspaper cited several other sources in support of the claim that Israel assisted South Africa in developing nuclear weapons and its arms industry.

The complainant in reply argued that many of the sources cited by the newspaper had contradicted its contentions. It was established, he said, that Israeli Arabs were able to lease land from the ILA, and have access to JNF land. He challenged the newspaper's claim that the boundaries of the Jewish and Muslim Quarters of Jerusalem were in dispute.

## Adjudication

The Commission first observed that the article had been presented as the view of the journalist and the sources he quoted. He had made clear that his claims would be contentious, and indicated that the majority of Israelis would not accept the comparison between Israel and apartheid South Africa. Readers would, in the Commission's view, be aware that this represented a particular – and polemical – approach to an extremely complicated subject, and that other versions of a historical account of the position in Israel would undoubtedly exist. It was clear from the manner in which the articles were presented that they represented the writer's personal thesis, based on his own experiences.

Others would disagree with him – and it was apparent to the Commission that much of this complaint was founded on the complainant's fundamental disagreement with the hypothesis at the centre of the articles. However, inherent in freedom of expression is the right for newspapers to publish challenging and partisan material, which inevitably includes political judgements with which many will disagree. The newspaper was entitled – in the Commission's view – to select material, in the form of quotations (which had not been disputed by the people quoted) or statistics, that supported the clearly-stated premise of the article. It was not obliged to attempt to balance every statement with reference to a counter-argument or counter-interpretation that existed elsewhere and opposed the position espoused in the article. The role of the Commission was to determine whether the article was misleading in its presentation of that position, and whether any significant inaccuracies could be established, in breach of Clause 1 (Accuracy) of the Code.

However, it was certainly not in the Commission's power to come to a decision as to what constituted historically-accepted fact. The particular points of alleged inaccuracy specified within the complaint were all widely disputed in different accounts. For example, regarding the newspaper's contention that 93% of land in Israel was reserved for Jews, there was the following conflict: the complainant had indicated that the land, which was administered by the ILA, was equally available to all citizens; the newspaper did not accept this, contending that the ILA applied the JNF's principles to state-owned land, which was – in any case – less valuable than that owned by the JNF. This was obviously a point of considerable historical dispute – indeed the claim had been widely disseminated elsewhere – which it was not the Commission's job to reconcile.

The same difficulty existed in regard to the claim that Arab Israelis had been prevented from forming their own political parties, which was based on the newspaper's view that truly independent Arab parties did not emerge until the 1980s. There was clearly disagreement as to what constituted a truly independent Arab party, and at what stage they therefore came into existence. It was not within the power of the Commission to make a decision on this point. The article did not claim that there was a law that suppressed Arab Israeli political activity, but rather that forces existed to prevent the formation of specific Arab parties. It was not for the Commission to prove this either way; it stood as the journalist's own contention, which the newspaper was entitled to publish.

The other claims of inaccuracy all rested on a basic conflict between the accounts on which the newspaper was choosing to rely and those put forward by the complainant. The claim that non-Jews were restricted from living in the Jewish Quarter was based on the comments of a named source, and did not include the suggestion that non-Jews did not live at all in the Jewish Quarter. The claim that Arabs were denied permission to build new homes was based on the statistic that twelve times as many new homes were legally built in Jewish areas as in Arab ones; this denial of permission included the fact that Arabs were discouraged from applying for permits in the first place. Finally, the article had quoted several named sources in support of its contention that Israel provided expertise and technology central to South Africa's development of its nuclear bombs, something which had been widely reported.

While the Commission acknowledged that the complainant was able to question the merits of such claims, it felt that the newspaper was entitled to publish them, provided that their provenance was made clear in the article. It considered that readers would not have been misled as to the basis for the article's justification of its arguments, and would recognise that other evidence might exist – in such a complex political area – to oppose it.

It did not consider that any breach of Clause 1 (Accuracy) had been established and the complaint was, therefore, not upheld.

*Ref: 06-1076*

## 6 Halifax Evening Courier

### Complaint

Mrs Stephanie Grady of Brotton complained to the Press Complaints Commission that two articles headlined “Shattered lives and lost dreams” and “Tragedy... now wife has baby” published in the Halifax Evening Courier on 2 April and 12 July 2006 had intruded into her grief in breach of Clause 5 (Intrusion into grief or shock), and into her son’s welfare in breach of Clause 6 (Children). The complainant also raised concerns under Clause 1 (Accuracy) of the Code.

The complaint was not upheld.

Both articles followed the Persian Gulf pleasure boat disaster in March 2006 in which the complainant’s husband, Stephen Grady, had died. The first article was an editorial which reflected on the impact of the tragedy on the complainant’s family, in particular her two-year-old son. The complainant argued that the article was written as though her son had given an interview to the newspaper, which was incorrect and a breach of the spirit of Clause 6 (Children) of the Code. In addition the piece projected inaccurate feelings onto her son, which no-one could have known: he had not once told her of his “confusing sense of loss” or asked her why “tearful adults [were] coming and going with special loving hugs”. Moreover, he had never been to Bahrain or played on quad bikes there, as alleged.

The second article reported the fact that the complainant had given birth to a baby girl fourteen weeks after the accident. The complainant had informed the newspaper before publication that she did not wish the article to appear, and that she had not given consent for any picture of her newborn child to be published. In the event, the front page article included a smiling picture of the complainant and her elder son. This was taken the previous year in relation to a separate story, but the complainant had not given permission for it to appear in relation to the death of her husband. In addition, a photograph of the boat which killed her husband was included. She said that the juxtaposition of the photographs in the article was insensitive and inappropriate in breach of Clause 5, and that the newspaper had caused her great distress at the most difficult period of her life.

Finally, the complainant said that a reporter from the newspaper had tried to gain entry to her house on the day she had found out about her husband’s death. He had arrived at the same time as other guests and had only identified himself when asked. The complainant was concerned that he would have attempted to enter the house without volunteering his identity and found this approach to be intrusive and insensitive, having occurred less than six hours after she had been informed of her husband’s death.

In response, the newspaper expressed its sympathy for the complainant and her family. It said that its editorial was clearly identified as comment and did not purport to be an interview, but instead invited readers to put themselves in the complainant’s son’s place as a confused two-year-old missing his father. The newspaper believed that, taken as a whole, it was a sympathetic tribute to the complainant’s husband and did not raise a breach of Clause 6. The references to the family visiting Bahrain were based on information given by Mr Grady’s parents. It was happy, however, to correct any factual inaccuracies and to apologise for these.

Regarding the second article about the complainant’s new baby, the newspaper said that it had been told of the birth by Mr Grady’s parents, who spoke of their happiness and provided photographs of the child. But following the telephone call from the complainant, the newspaper did reorganise its story to remove the picture of the new baby. The story was then illustrated with stock pictures, including the image of the complainant with her son which was posed the previous year. The newspaper regretted that the



newspaper regretted that the complainant had found the use of the photographs insensitive, but did not believe that most people would agree that the coverage was insensitive. The newspaper pointed to an interview that the complainant had subsequently undertaken with the Daily Mirror to express surprise that the complainant had objected to the publicity.

Finally, the newspaper was satisfied that its reporter had identified himself properly at the complainant's home at the earliest opportunity and made no attempt to enter the house without permission.

## Adjudication

Clause 5 of the Code requires newspapers to handle publication of material at times of grief "sensitively" and to make enquiries with "sympathy and discretion". This does not of course amount to a ban on covering tragic stories unless everyone concerned consents to publication, but rather is designed to prevent the tone of the coverage – and any approaches from journalists – from exacerbating what is inevitably a difficult time for the relatives of the deceased. It was clear in this instance that the newspaper's coverage had greatly upset the complainant, something the Commission regretted. It wished to express its sympathy to the complainant and her family.

The Commission reviewed the published material and did not conclude that it was insensitive – although it was clearly unwelcome to the complainant. Neither article broke the news of the accident or ridiculed the manner in which the complainant's husband had died, and while the complainant objected to the editorial, it appeared to be an attempt on the newspaper's part to illustrate the human consequences of the tragedy. While the Commission acknowledged the complainant's view that such an attempt was unsuccessful, it did not follow that the piece breached the terms of Clause 5.

Although the complainant wanted no publicity for the birth of her child, the Commission noted that the article included the reaction of the baby's grandparents, and they were entitled to speak to the newspaper. Again, what was important in terms of Clause 5 was how the news was

reported – and the Commission did not conclude that there was anything inherently insensitive about the manner in which the article was presented. This included the newspaper's use of the photographs (including of the complainant and her son), which had been previously placed in the public domain and were not – in the Commission's view – reproduced in an inappropriate or insensitive way. The Commission recognised that the complainant felt that the very fact of publishing news of her baby's birth against her wishes and so prominently amounted to insensitivity, but this was not the test that the Commission can apply in cases such as this, where there are also the competing rights of others to speak to the media and the public to receive information.

Finally, under Clause 5, there was the issue over the newspaper's initial attempt to contact the complainant. The Commission was not in a position to determine the exact circumstances in which the reporter had made an approach following the tragedy. Nonetheless, it was clear that the reporter had given his identity and left after being asked to do so. There was no suggestion that he had attempted to make enquiries unsympathetically. In these circumstances, the Commission was satisfied that no breach of Clause 5 had been established in regard to the journalist's approach.

Turning to the complaint under Clause 1 in relation to the editorial, the Commission did not consider that readers would have concluded that the newspaper had actually spoken to the complainant's son. But the complainant had contested some of the factual references in the piece – such as whether her son had been to Bahrain and played on quad bikes with his father – and it was right for the newspaper to have offered to correct these points. This amounted to a satisfactory response to this part of the complaint.

Finally – while the Commission recognised the complainant's argument that the article breached the spirit of Clause 6 – it was not the case that the newspaper had interviewed or photographed the complainant's son. There could therefore be no breach of this Clause.

*Ref: 061746*



## 7 The Independent

### Complaint

Ms Joanna Riding complained to the Press Complaints Commission through her agents, Scott Marshall Partners, that an article published in the Independent on 8th March 2006 in the "Pandora" column intruded into her privacy in breach of Clause 3 (Privacy).

The complaint was upheld.

The article reported that the complainant had withdrawn from a theatre role because she had fallen pregnant. It said she had also pulled out from a previous role 'at the last minute' because of a pregnancy and suggested that her 'efforts to start a family are getting in the way of her career'.

The complainant said the article intruded into her privacy by announcing her pregnancy before she had even told her family. The only people she had informed were her agent and the producer of the show. A press release explaining her withdrawal referred only to 'unforeseen personal circumstances'. The complainant subsequently suffered a miscarriage.

Initially the newspaper responded to Ms Riding's agent saying that, while it regretted the distress she had suffered, its columnist had no reason to believe that the pregnancy was not public information. It offered to consider a letter for publication in response to the article, and said that the item had been removed from its website. During the Commission's investigation, the newspaper apologised privately for revealing the pregnancy, and also offered to publish an apology. The complainant rejected this and said she wanted the matter adjudicated.

### Adjudication

As a matter of common sense newspapers and magazines should not reveal news of an individual's pregnancy without consent before the 12 week scan, unless the information is known to such an extent that it would be perverse not to refer to it. This is because of the possibility of complications or miscarriage – something that was sadly a feature in this

case – and because it should be down to the individual when to share the news with her family and friends in the early phase of a pregnancy. Revealing the complainant's pregnancy at such a stage – before she had told her family, and when it was not obvious – was therefore a serious intrusion into her private life. The action taken and offered by the newspaper in response to the complaint was welcome but was not sufficient as a remedy to what was a significant breach of Clause 3 (Privacy) of the Code. The Commission upheld the complaint.

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The complainant also complained under Clause 1 (Accuracy) of the Code. She had withdrawn from her previous role in *Woman in White* more than two months before rehearsals began, not at the 'last minute'. The latest 'withdrawal' was from a one-off 'show' and she had not 'resigned' from the role but had been released by the producer on compassionate grounds.

The Commission considered it appropriate that the newspaper correct the claim that the complainant had pulled out of a previous role 'at the last minute' since it could not be corroborated. It was also appropriate to clarify that the complainant had not 'resigned' from her current one-off show but had been allowed to withdraw on compassionate grounds. Although the offer of a correction had been made at a relatively late stage, the Commission considered the proposal to be a proportionate response to the accuracy complaint. This part of the complaint could now be remedied by publishing either a correction or this ruling under Clause 1.

Ref: 06-1182

## 8 Loaded Magazine

### Complaint

Mr Mark Kisby of Cambridgeshire complained to the Press Complaints Commission that an article headlined “At home with Michael Carroll”, published in Loaded in February 2006 was inaccurate and misleading in breach of Clause 1 (Accuracy) and contained a photograph of him which intruded into his private life in breach of Clause 3 (Privacy) of the Code.

The Commission found that there had been a breach of Clause 3 of the Code, but considered that the editor’s offer to remedy the matter was sufficient. No further action was therefore required.

The article was a feature on millionaire “lottery lout” Michael Carroll and included a picture of him withdrawing £15,000 from his local bank. The complainant was the cashier at the branch and was included in the picture. He had not consented to his photograph being taken or published. The complainant considered that the publication of his image intruded into his private life and could have led to security problems for him and his family.

The magazine said that the complainant represented the public face of a high street bank and could not therefore have any expectation of having his identity concealed. It did not agree that the publication of the photograph could have had any effect on his or his family’s safety or security. Nonetheless it accepted that it did not have permission to publish the photograph and offered to publish an apology for any distress which may have been caused.

### Adjudication

Clause 3 states that it is unacceptable to photograph individuals in private places without consent, making clear that a private place is either public or private property in which there is a reasonable expectation of privacy.

The Commission has previously ruled that publicly accessible places such as restaurants, hotels and offices can

be those in which a person would have a reasonable expectation of privacy. In this instance, it was clear to the Commission that the publication of a photograph of the complainant in his workplace without permission was a breach of Clause 3. Nonetheless, in the circumstances – given the innocuous nature of the photograph – the Commission decided that the magazine’s offer of an apology which acknowledged its error represented sufficient and proportionate remedial action on its part.

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The complainant also said that the name of the branch was incorrect and that Mr Carroll could not drive up to the bank in a limousine as the area was pedestrianised. In addition, the inclusion of the photograph made it appear that the complainant and Mr Carroll were friends, which was not the case.

In the Commission’s view, none of the inaccuracies outlined by the complainant were significant in the context of the article when read as a whole. In addition, it did not agree that the article gave the impression that the complainant was friendly with Mr Carroll. There was no breach of Clause 1 on these issues.

#### Relevant rulings

*MacQuarrie v Scotland on Sunday, Report 47*

*Tunbridge v Dorking Advertiser, Report 58*

Ref: 06-0426

## **9** Newcastle Evening Chronicle

### **Complaint**

A woman from Newcastle complained to the Press Complaints Commission that the Newcastle Evening Chronicle did not respect her confidentiality as a source in breach of Clause 14 (Confidential Sources) of the Code.

The complaint was upheld.

The complainant is a former employee of the Rural Payments Agency, a Government body that had been the subject of some criticism in the newspaper. She contacted the newspaper by email to share some of her experiences of the agency, but asked to remain anonymous. A reporter from the newspaper forwarded the email to the RPA for comment, without removing the complainant's details from it. The complainant argued that the Code had therefore been breached as she had been identified to her former employers as a source of information.

The newspaper accepted that a serious error had been made and apologised. It had formally disciplined the reporter, who was a trainee. He had subsequently contacted the RPA to explain that the email should not have been sent. The newspaper offered to apologise again to the complainant, in a private letter or in print.

The complainant was not satisfied with the newspaper's attempts to resolve the matter, and also objected to the length of time the newspaper had taken to deal with her complaint when she brought the matter to its attention.

### **Adjudication**

This was a clear breach of Clause 14 of the Code, which states that "journalists have a moral obligation to protect confidential sources of information". It was a serious and thoughtless error to have sent on the complainant's details when she had specifically requested anonymity. The newspaper's acceptance that a mistake had been made limited the extent of the Commission's criticism, but the protection of confidential sources of information is a basic principle of journalism, and such an obvious and unnecessary breach of the Code could not pass without censure. The complaint was therefore upheld.

*Ref: 06-1574*

## 10 Sunday Times

### Complaint

Mr Keith Cousins of London complained to the Press Complaints Commission that a journalist from the Sunday Times had been in contact with his 14 year-old-son in breach of Clauses 4 (Harassment), 5 (Intrusion into grief or shock) and 6 (Children) of the Code.

The complaint under Clause 6 was upheld. The complaints under Clauses 4 and 5 were not upheld.

The complainant's son attended the London school where Kiyon Prince had been fatally stabbed. After the boy had laid a wreath at the site of the murder, he was approached by a journalist, who allegedly offered him £1000 for a picture of the suspect, to be taken from the school database. The journalist spoke at length with the complainant's son and continued their conversation via telephone and text messages. The complainant said that his son had now had to leave the school, having been seen talking to the press by the suspect's friends.

The newspaper denied that its reporter had offered the complainant's son money or asked him to enter the school to obtain a photograph. It claimed that a reporter from another newspaper may have done so. The newspaper accepted that its reporter did speak to the boy, and accompanied him to an internet café to see if a photograph could be downloaded. No photograph was taken of the child and no interview ever published.

### Adjudication

There was a considerable conflict between the accounts of the complainant and the newspaper over the contact between the reporter and the complainant's son. Nevertheless it was clear that a reporter from the newspaper had approached and spoken to the complainant's son on a subject that involved the welfare of the children at the school. The necessary consent from a custodial parent had not been obtained, and the result was a straightforward breach of Clause 6 (Children) of the Code. The complaint was upheld on that basis.

The complainant had also claimed that the behaviour of the reporter constituted harassment in breach of Clause 4 (Harassment) of the Code. However, there was no evidence that the reporter had persisted in his inquiries after having been asked to desist. While the complainant maintained that the reporter's attentions had been entirely unwanted, the newspaper had suggested that the complainant's son had continued their conversation via text message. Ultimately, the Commission considered that the breach of the Code had been caused by the fact that the reporter had spoken to a 14-year-old without the necessary consent, but it had not been established that the reporter had also harassed the boy in breach of Clause 4 of the Code.

Neither was the Commission satisfied that there was evidence that the journalist's contacts with the boy lacked sympathy or discretion in breach of Clause 5 of the Code, although they should not have been made under Clause 6.

Finally, the Commission wished to address the suggestion that payment had been offered to the complainant's son for a photograph, which may have involved a breach of Clause 6 (iv) of the Code. It had not been possible satisfactorily to establish the facts of the matter on this occasion, and the Sunday Times had strongly denied having been involved in making such an offer. However, the Commission wished to make clear that it will pursue the matter with whichever newspaper is concerned if further evidence on this point comes to light.

#### *Relevant Rulings*

*Everitt and Brick v Welwyn and Hatfield Times, Report 61*

Ref: 06-1300

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## 11 Sunday Times

### Complaint

Roger Knapman MEP, the leader of the UK Independence party, complained to the Press Complaints Commission that an article, published in the Sunday Times of 7th May 2006 headlined “Anti-migrant UKIP leader hires Poles”, was inaccurate in breach of Clause 1 (Accuracy), intrusive in breach of Clause 3 (Privacy) and followed the use of subterfuge in breach of Clause 10 (Clandestine devices and subterfuge) of the Code.

The complaint was not upheld.

The article reported that the complainant had been employing Polish workers to renovate his house. It suggested that this was hypocritical, given his party's stance on immigration.

The complainant complained that subterfuge had been employed by the journalists. One reporter had approached his son – who runs a Polish-registered company that sources East Europeans for jobs in Britain – pretending to be interested in buying a property. Another reporter came to the complainant's home, claiming to want to use the same builders as he was using. The quotes from the conversation were used in the article. The complainant argued that subterfuge was clearly unnecessary as he had never made any secret of the fact that his house was being renovated by some Polish workers, who were temporarily living there. Had the journalists spoken to him openly, he would have given all the necessary information, and they should at least have given him the opportunity to do so. There was no possible public interest to justify the subterfuge, which related to an activity that was both legal and private.

The complainant also alleged that the article contained inaccuracies, primarily relating to the length of time of the employment, the pay, and living conditions of the workers. He said that they had not been working for the past 11 months, but on two contracts of 12 and 10 weeks; were not living ‘dormitory-style in [the] attic’ but in an attic guest suite; and were earning nearly double the ‘£50 a day’ figure quoted in the newspaper. In fact, he said, the wages worked out at around £12.50 per hour or £4,000 for six

weeks per worker. The complainant offered to provide all necessary documentary evidence to prove the point. He added that UKIP was not “anti-migrant” as its policy was to limit immigration to around 150,000 a year and welcome guest workers on a work permit basis. The Polish workers, the complainant made clear, were not immigrants and remained ordinarily resident in Poland. The foundation of the article, and the newspaper's justification for the subterfuge, was therefore incorrect. Finally, he objected to the claim that he had ‘boasted’ about his ability to help to supply Polish labourers.

In reply, the newspaper said that the purpose of its enquiries was to determine whether the complainant was guilty of political hypocrisy. UKIP had forthright views on immigration, arguing that ‘the first responsibility of a British government is to its own population, not to those who would like to settle here’. It pointed to a recent party leaflet which contained a cartoon entitled ‘Overcrowded Britain’, showing East Europeans pouring into an entrance labelled ‘Channel Funnel’. The newspaper suggested that a direct approach to the complainant would be bound to fail, as no political leader would be likely to assist in a newspaper exposing his own hypocrisy. The newspaper enclosed examples from a UKIP unofficial forum of those who considered the complainant indeed to be guilty of hypocrisy.

Similarly, it argued that any claimed intrusion under Clause 3 of the Code was justified by the fact that it was in the public interest to reveal the difference between the complainant's private behaviour and his public political stance.

Turning to the complaints of inaccuracy under Clause 1, the newspaper offered to publish a correction on the amount of time for which the workers had been contracted. It provided a transcript of the recorded conversation between the reporter and the complainant's son that touched upon the amount they were paid. The transcript showed that, while the complainant's son had initially quoted a figure of £12.50 per person an hour, he had subsequently suggested that two workers would receive £4,000 for six weeks work, consisting of six 10-hour days a week. This came to around £50 a day. The newspaper also did not consider it to be a matter of dispute that the workers lived in the complainant's attic or that UKIP was 'anti-migrant'. Moreover, the complainant's effusiveness about the Polish workers justified the article's claim that he had 'boasted' about his ability to help supply such workers.

## Adjudication

The thrust of the complaint fell under Clause 10 of the Code, which states that 'engaging in misrepresentation or subterfuge can generally be justified only in the public interest and then only when the material cannot be obtained by other means'. The Commission noted that it was not in dispute that the reporters had used subterfuge to obtain information about the complainant's employment of Polish workers.

The reference in Clause 10 to subterfuge 'generally' only being justifiable when the material cannot be obtained by other means allows the Commission to find no breach of the Code in some circumstances when material obtained by subterfuge may otherwise potentially be available. It may take into consideration, for example, the seriousness of the alleged subterfuge and whether or not it was proportionate in terms of the story, or whether there were reasonable grounds for concluding that pursuing other means would jeopardise future enquiries.

There was no way for the Commission to determine whether a direct approach from the newspaper would indeed have been successful and have removed the need for misrepresentation, although it did note the newspaper's argument that a politician would be unlikely voluntarily to reveal information that would expose him to charges of hypocrisy. But in any case, the Commission was satisfied

that there was an element of public interest in the newspaper's pursuit of this story, given the perceived difference between the complainant's political position as leader of UKIP and his practice of employing non-UK workers. The subterfuge used did not strike the Commission as being disproportionate or unnecessarily intrusive in the context of confirming a story of some public interest. It therefore did not conclude that there was a breach of Clause 10.

Neither did the Commission consider that there were any issues to pursue under Clause 3 of the Code. In stating that he would have been happy to discuss the matter with the newspaper, the complainant had clearly suggested that he did not regard the matter to be private. Indeed, he had said that the details were well known, both locally and to senior members of UKIP. Moreover, the Commission would not normally consider that publicity about renovation works at an individual's home would amount to an invasion of privacy.

In terms of the complaint under Clause 1 of the Code, the Commission was satisfied that there was one point of established inaccuracy: the length of time the workers had been employed. The newspaper had rightly offered to correct this point, something the Commission considered to be a proportionate remedy under the Code.

On the outstanding complaints of inaccuracy, there was no breach of the Code. The newspaper had provided evidence – in the form of a transcribed conversation between the reporter and the complainant's son – in support of its claim over the amount the workers were paid, which appeared to substantiate the figure quoted in the article and demonstrated that care had been taken by the newspaper to avoid inaccuracy on this point. Additionally, it was clearly the newspaper's opinion, distinguished as such, that UKIP was 'anti-migrant' and that the complainant had 'boasted' about his employment of Polish workers, and it was not in dispute that they had stayed in his attic.

### *Relevant Rulings*

*HH Saudi Research & Marketing (UK) Limited v Sunday Telegraph, Report 71*

*Ref: 06-1184*

## 12 Sunday Times

### Complaint

Mr Lavdrim Terziu of London complained to the Press Complaints Commission that an article headlined “The land that time forgot” published in The Sunday Times Magazine on 23 July was inaccurate in breach of Clause 1 (Accuracy) and prejudicial and pejorative in breach of Clause 12 (Discrimination) of the Code.

The complaint was not upheld.

The article was a personal account of a visit by the writer AA Gill to Albania. The complainant, who is the chief editor of the Albanian Mail, said that the Albanian community in the UK had been shocked to find their dignity and national feelings under attack in the article.

The complainant considered that the article was inaccurate and offensive. The journalist had inaccurately contended that Albania was the hub of the European sex trade, and that Albanian emigrants acted illegally. Moreover, he had made a number of unfounded and inaccurate claims without citing his sources: that Albanians ran most of the illegal arms trade in Europe, and had taken over crime in Milan; that all of the cars on the roads of Tirana were stolen from Germany or Italy; and that the biggest single industry in Albania was money-laundering. The journalist had wrongly suggested that Albanians were proficient at organised crime.

The complainant considered that the discriminatory comments made in the article had been outrageous, and had constituted a callous attack on all Albanians: their history, culture, language, and the way they looked and dressed. The Albanian flag had been ridiculed, and the values of the country and its people had been defamed. Most importantly, the journalist had pejoratively claimed that Albanians had “surprisingly fair skin”.

In response, the newspaper explained that the article had been commissioned as a result of Albania’s desire to be a prominent new tourist destination and to join the EU. The article was a part of series of acerbic and witty portraits by

the writer, examining different countries’ stereotypes and caricatures, their reputation, peoples, traditions, and infrastructure.

In regard to the specific claims of inaccuracy, the newspaper argued that the article had referred to undisputed incidents in Albania’s history in detail. It said that an estimated 800,000 Albanians were working illegally, mainly in Western Europe, and that Europol in its latest report had specifically referred to the problem of mass migration and illegal trafficking of Albanians into EU countries. A number of sources, including Europol and Save the Children, had referred to Albania in the context of the European sex trade. The Italian public prosecutor had stated that Albanians controlled most organised crime in Italy. The newspaper also indicated that examples of car theft and money laundering had been well established by Europol, the EU and the World Bank among others, and international experts and law enforcement agencies cited three reasons – relating to language, family ties and a code of silence – for the success of Albanian criminals. The reference to Albanians having surprisingly fair skin was a reflection on the fact that the population was significantly Muslim and Eastern Mediterranean in ethnicity. It was a fair and accurate description of ethnicity and was not racist.

The newspaper indicated that it had received a number of complaints about the feature. In its response to those complaints, the newspaper had apologised to people who felt that the article was attempting to discredit a nation, and made clear that a representative sample had been published in the following edition of the newspaper, including an official response from the Albanian ambassador to London.



## Adjudication

The Commission first dealt with the complaint under Clause 1 (Accuracy). The Code of Practice allows journalists the freedom to write robust and provocative pieces with which many people may disagree. However, it also requires comment to be distinguished from fact.

In this case, the complainant objected to a number of statements about Albania, many of which constituted the journalist's own view of the country which were formed during a visit there. He was entitled to take a negative view of the place and to share it with the newspaper's readers, who would have been aware from the manner in which it was presented that the article represented his own subjective position rather than an indisputable statement of fact.

Other statements were challenged on the basis of their accuracy, but the Commission was satisfied that the newspaper had demonstrated that the journalist had

sufficient grounds on which to base his observations and conclusions about the country. He had clearly upset the complainant with the strident and challenging nature of the article, but given that it was clearly presented as a partisan view of Albania – and given that the newspaper had been able to point to the evidence on which the analysis was based – the tone of the article was not a matter for the Commission. That said, the Commission noted that the newspaper had subsequently published a variety of contrary views from readers, which, considering the strength of feeling that the article had aroused, seemed to be a sensible approach.

With regard to the complaint under Clause 12 (Discrimination), the Commission emphasised that this clause relates to individuals, and is not applicable to groups of people. The journalist's references to Albanians in general – for instance, to their 'surprisingly fair skin' – were not matters that raised a breach of this clause.

*Ref: 06-1925*



### 13 Zoo Magazine

#### Complaint

Mr Paschal Quigley of Isleworth complained to the Press Complaints Commission that an article headlined “Just like dad”, published in Zoo magazine in its 12-18 May edition, contained a photograph of his daughter which was published without consent in breach of Clause 6 (Children) of the Code.

The complaint was not upheld.

The article included a photograph of the complainant and his ten year old daughter making offensive gestures at Old Trafford – described as “terrace bigotry” – following Chelsea’s defeat to Liverpool in the FA Cup. The complainant was concerned that his daughter had been ridiculed by the magazine and that her face had not been pixelated, despite other newspapers doing so, in breach of Clause 6 (Children).

The magazine said that – while in certain cases it was appropriate to obscure a child’s face to protect his or her privacy – this was not such a time. Firstly, the complainant and his daughter were in a public place, namely a football ground. Secondly, the subject matter of the photograph was not concerned with the child’s welfare; rather, she and the complainant had made offensive gestures to other members of the public and their behaviour was open to censure, quite properly.

#### Adjudication

The Commission would not normally consider that a photograph of a child in a crowd at an FA Cup tie – a public event at which there would be many photographers and television cameras, as well as tens of thousands of people – was intrusive or involved the child’s welfare. It was important for the Commission to state that despite the voluntary and commendable restraint frequently shown by newspapers and magazines in their treatment of children, it is not the case that any picture of a child taken and published without the consent of the parent will always

breach the Code. The subject matter of the photograph is relevant, as is the context and manner in which the material is published and the way in which the photograph is taken.

What marked this photograph as different from a more innocuous face-in-the-crowd picture were the girl’s anti-social gesture and her proximity to her father, who was simultaneously giving a Nazi salute for which it was said he had later been arrested. The Commission acknowledged the argument that, as the photograph revealed something about the manner in which the girl was being brought up – for which she was not herself responsible – her welfare was indeed involved.

The most important point to make in relation to this was a common sense one about the issue of consent. The Code says that children under 16 must not be photographed on issues involving their welfare without the consent of a custodial parent. While the complainant – her custodial parent – may not have actively consented for the photograph to be used, the Commission could not ignore the context in which it was taken. The complainant was at a significant sporting occasion, where he and his daughter would have been seen by a large number of people, and where the complainant must have been aware of the possibility of being photographed by press photographers or even appearing on television. In these circumstances, it was hardly unreasonable for some in the media to assume that the complainant was unconcerned about publication of pictures of him and his daughter using such gestures, and that consent had therefore been implied. If the opposite was true, there was nothing to stop the complainant from restraining his behaviour and that of his daughter.

To criticise the editor for using a picture of the complainant's daughter in these circumstances would be perversely to suggest that he had a greater duty of care towards the girl than her father did.

Having reached this view, it therefore followed that there was no breach of the Code in publishing the photograph, even if the subject matter of the photograph could be considered to concern the girl's welfare.

There was one last point for the Commission to make. It has already stated that innocuous pictures of children in crowds would not normally breach the Code. As a matter of common sense, it could not in fairness conclude that people are entitled to greater rights under the Code than others simply because they are behaving in an anti-social manner.

*Ref: 06-1228*

## Resolved **Complaints**

The primary aim of the Press Complaints Commission is to seek to resolve disputes between complainants and newspapers. Set out below is a summary of those settled to the express satisfaction of the complainant following some remedial action by the editor. The Clause of the Code of Practice to which each complaint refers is shown in brackets.

### **Ardrossan & Saltcoats Herald**

#### **Complaint**

Mr Kenneth Monaghan complained that a letter – which had claimed that the new bus lane in Stevenston was a complete waste of time – had been inaccurately credited to him. The complainant explained that he worked in the transport industry, and that – as a result of publication of the letter – he had been subjected to a hearing with his manager. Despite contacting the newspaper directly, a correction had not been published.

#### **Resolution**

The complaint was resolved when the newspaper published the following correction:

*We have been advised that the correspondence (Write to reply, Herald August 9) which criticised the new bus lane through Stevenston and purported to be signed by “Kenny Monaghan” was a fraudulent letter. The Herald, who published the letter in good faith, regret any embarrassment or distress caused to the purported signatory.*

The newspaper also apologised for the delay in dealing with the complaint prior to the PCC’s involvement. (Cl 1 & 3)

### **The Argus**

#### **Complaint**

A woman complained that the newspaper had sought to interview her at her home with regard to a high-profile court case involving her daughter despite a request from police not to approach her or her family.

#### **Resolution**

The complaint was resolved when the newspaper – which stated that it was not aware of the police request at the time of the approach – sent a private letter of apology to the complainant. (Cl 4)

### **Ayrshire Post**

#### **Complaint**

Mr Ian McGarry of Troon complained that an article which reported his conviction for ‘Attempting to Procure the Commission of a Homosexual Act in a Place other than Private’ contained inaccuracies. He made the following points: that he had not admitted to meeting up with the intention of having sex as this would have resulted in a conviction for ‘procuring’ rather than ‘attempting to procure’; his employer did not send a letter suggesting that his job was in a precarious position; the headlines implied that he was found in the act of sex when he was not; and the phrase ‘in a state of undress’ was not used in court.

#### **Resolution**

The newspaper stood by its report making clear that the reporter’s notes supported that the fiscal had said the following phrases in court: ‘state of undress’; and ‘they were quite frank as to why they had met up in the toilets’. The notes also showed that the complainant’s solicitor had shown the sheriff a letter from the complainant’s employer indicating that his job was in a precarious position. The newspaper offered to run a letter from the complainant to allow him to explain his interpretation of events. However, the complaint was resolved when the newspaper agreed to annotate its records with a note of the complainant’s concerns so that anyone accessing the article would be aware that the article was the subject of a complaint, and the details of that complaint. (Cl 1)

## Banbury Cake

### Complaint

Mrs Kathleen McAdam of Newark complained that an article had reported the inaccurate comments of Chris Cousins, who had claimed that the previous owners of a house in Chatsworth Drive had 'adopted' common land. In fact, the complainant explained that the entire house and land had belonged to her and her husband.

### Resolution

The complainant was resolved when the newspaper published the following statement: *"In a report in the Banbury Cake of May 18, 'Uproar over house plan', we quoted one neighbour in Chatsworth Drive, Banbury, as questioning the developers' right to build on common land that was 'adopted' by the previous owner. The previous owners, Mr and Mrs McAdam, have pointed out that the whole of the house and land in question was legally theirs and none of it had been adopted. We apologise for any distress or embarrassment this statement caused". (CI 1)*

## Barking & Dagenham Post

### Complaint

Royal Mail complained through Schillings Solicitors that a reader's letter – which alleged that a number of letters had been dumped by the local postman in Barking – was inaccurate and misleading.

### Resolution

The complaint was resolved when the newspaper published the following wording: *"A reader's letter on 16 November 2005 speculated that a number of letters found on a grassy verge had been dumped by the local postman. On that basis, the letter then questioned the honesty of some postal workers in Barking and the competence of the Royal Mail. The Royal Mail has now concluded the internal investigation the letter referred to and we have been assured by them that the letters had in fact all been delivered safely by them to an address in multiple occupation, though they were later dumped by someone with access to the property. There was therefore no dishonesty on the part of the individual postman or postal workers in the Barking area or incompetence on behalf of Royal Mail and we apologise for any suggestion to the contrary. The Royal Mail has asked us to point out that the latest independent figures show that latest monthly targets*

*for next day delivery are being beaten and that theft and loss of mail nationwide accounts for less than 0.006% of the average mailbag". (CI 1)*

## Basingstoke Gazette

### Complaint

Miss Debra Sells of Salisbury, mother of Jolene Colpus, complained that the newspaper had published photographs of her daughter's funeral without her knowledge or permission. She was particularly concerned over photographs of the coffin which had appeared on the front page.

### Resolution

The complaint was resolved when the newspaper undertook to interview the complainant at the conclusion of the trial of a man for Jolene's murder. (CI 3 & 5)

## Bexley Times

### Complaint

Mr Jason Johnson, a postman for Royal Mail, complained through the Communication Workers Union that an article which focused on his disability intruded into his privacy and discriminated against him in breach of the Code.

### Resolution

The complaint was resolved when the newspaper published a letter from Royal Mail in response to the article together with an editorial apology for any distress caused to the complainant. (CI 3 & 12)

## Birmingham Mail

### Complaint

Mr Mark Collier of Birmingham complained that an article had inaccurately alleged that a man, who crashed his car in the same location where the complainant's brother and two friends had died in a road accident, was the father of one of the deceased.

### Resolution

The editor first expressed his sincere condolences to the complainant and sought to explain that the allegation

originated from firefighters at the scene of the accident. However, subsequent to the publication of earlier editions of the newspaper, the police then offered guidance that the victim was not in fact thought to be a relative of the deceased and the newspaper therefore changed the headline and introduction of the article in later editions.

The editor also said that he would be meeting with police to ask that they reconsider their decision not to reveal the victim's identity. He offered to publish a full apology if his identity proved him not to be related to those victims from the first accident. The editor emphasised that it was not the newspaper's intention to make matters worse for any of those involved. (CI 1 & 5)

## **Birstall News**

### **Complaint**

Mr George Demetriou, proprietor of a sandwich shop in Birstall called Bon Appetite, complained that the newspaper had inaccurately reported the following: that a dead rat and open holes had been found on his premises; and that his shop would remain permanently closed.

### **Resolution**

The complaint was resolved when the newspaper published the complainant's version of events which made the following clear: that a mouse, rather than a rat, was found on his premises; that the shop was closed for less than two days; that officers were satisfied that the shop was not a risk; that no holes were found in the shop; and that the pipes had now been sealed correctly. The complainant emphasised that Bon Appetite had been given the all clear and was open for business as usual. (CI 1)

## **Bolton Evening News**

### **Complaint**

A woman complained that the newspaper's reporting of a house fire had been misleading. She contended that the photograph used had clearly displayed her house number, and that this would misleadingly imply to readers that the DIY blunder which caused the fire had taken place at her home.

### **Resolution**

The complaint was resolved when the newspaper wrote a private letter of apology to the complainant, ensuring that

greater care would be taken in the future when covering stories of this nature. (CI 1 & 3)

## **Bristol Evening Post**

### **Complaint**

Mr Andrew Riccio of G & A Group complained that an article reporting that a pensioner was being taken to court over his refusal to pay a bill for roofing repairs was misleading in its failure to mention that a reduced offer had been made to the pensioner by G & A Group.

### **Resolution**

The complaint was resolved when the newspaper published a clarification making clear that G & A Group had offered to accept payment of funds received by the pensioner from his insurance company, which would have ensured that the pensioner would not have to pay the excess required under the terms of his insurance policy. (CI 1)

## **Bucks Free Press**

### **Complaint**

Mr David Fagan of High Wycombe complained that two articles which linked passive smoking to lung cancer were inaccurate and misleading.

### **Resolution**

The complaint was resolved when the newspaper published a prominent letter from the complainant which asserted that 80% of all studies worldwide had failed to determine any link between passive smoking and any increased risk of lung cancer. (CI 1)

## **Burton Mail**

### **Complaint**

Mr Philip Gretton of Burton-on-Trent complained that an article about his step-son's appearance as a mascot at a Manchester United game included particular information about his wife's ill-health. He said he had told the newspaper not to refer to the seriousness of her illness since to do so would be intrusive.

## Resolution

The matter was resolved when the newspaper's editor wrote personally to the complainant to apologise that particular terminology was used in the article and that he and his family had been caused distress. (CI 3 & 5)

## Camden New Journal

### Complaint

Ms Boo Byrd, brother of Robert Byrd, complained that an article reporting on the inquest into Mr Byrd's death had contained a number of inaccuracies, both in the strapline and the text of the article. Moreover, the article had intruded into the grief and the privacy of the family at a very difficult time.

### Resolution

The complaint was resolved when the newspaper published an apology with the following wording: *"In an article published on 2 March headlined "Double life of the addict who took 10 times fatal drug dose" we incorrectly stated in the strapline that Robert Byrd's death had been blamed on a "lethal strain of heroin that has already claimed three lives". This was not in the Coroner's report, neither was it discussed at the inquest. In fact, this was a suggestion made by Edward Kellman. We have been asked by the Byrd family to correct this, and also to point out that Mr Kellman did not attend the inquest, neither was he Mr Byrd's drug counsellor. Moreover, Mr Byrd did not lead a double life as his family and friends were aware of his troubles and his fight to be free of drugs. We regret the distress this publication has caused and apologise unreservedly to the Byrd family".* (CI 1, 3 & 5)

## Chat

### Complaint

Mrs Janie Jenkins – a close friend of Anita Ings' family – complained on their behalf that the story Steve Ings told the magazine about the murder of Anita, and their son Gavin, was an inaccurate representation of the true circumstances.

### Resolution

The complaint was resolved when the magazine agreed to publish a letter from the complainant and the family of Anita Ings with the following wording: *"We wish to express*

*how strongly my family and our close friend Janie feel about a story published in Chat magazine issue 11 dated 23 March 2006 headlined Shattered. We would like to point out that the story you printed was one person's view of a terrible tragedy and is not the view shared by we, Anita Ings family, or our close friend Janie. We wish to be allowed to grieve in private & put closure on this terrible event".* (CI 1)

## Chester Standard

### Complaint

Mr Reginald T Barritt of Handbridge complained that – following the publication of his letter and a response from West Cheshire College with regard to an online poll – he had been denied an opportunity to reply.

### Resolution

The complaint was resolved when the newspaper published a further letter from the complainant outlining his position. (CI 1 & 2)

## Chiropody Review

### Complaint

Ms Joy Keating complained that the magazine had – in its report of a presentation on biomechanics – published the claim that "because of their lower leg anatomy, Afro-Caribbean people cannot achieve a 10 degree dorsiflexion".

### Resolution

The complaint was resolved when the magazine, which accepted that the report (which had been published in good faith) was not an accurate reflection of what had been said, placed the complainant in contact with the person who had given the presentation. He explained that he had not made the reported claim about Afro-Caribbean people and invited the complainant to another presentation, free of charge. The magazine also published an apology for any offence caused by the report. (CI 1)

## Church Times

### Complaint

Ms Hanne Stinson of the British Humanist Association complained that the newspaper's coverage of issues

relating to the Assisted Dying for the Terminally Ill Bill had been one-sided. The complainant contended that the newspaper only presented arguments against the Bill, and had not acknowledged that a majority of Christians supported it.

## Resolution

The newspaper contended that it had no particular line on this issue, and emphasised the difficulty of reporting when one side had taken the initiative and there was no organised body presenting an opposing view. The editor also indicated that the newspaper attempted to add context through comments pages and readers' letters, and emphasised that the newspaper had published the results of a recent poll on euthanasia. The complaint was resolved when the newspaper undertook to strive to represent all sides of the Assisted Dying Bill debate – and indeed all other issues – as fairly as possible. (CI 1)

## The Citizen Complaint

Mr AJ Kilker of Gloucester complained that the newspaper had published a letter from him which included his full address.

## Resolution

The complaint was resolved when the newspaper removed the details from the text of the letter on its website. (CI 3)

## The Citizen Complaint

Mr Gary Waugh complained through his solicitors Knight Polson that an article had contained a number of inaccuracies in relation to his trial, the charges he was sentenced for, and his role in the credit card scam.

## Resolution

The complaint was resolved when the newspaper published the following clarification: *"In an article published in the Citizen on June 13, 2006, it was stated that Gary Waugh, of Station Road, Gloucester, was jailed for seven years for masterminding an £870,000 credit card scam. We have been asked to point out that Waugh was sentenced to 24 months for two offences of handling goods valued at*

*£24,000, 12-24 months for five proceeds of crime offences and five years consecutive for drug supply offences. Further, the article stated that Waugh's gang told Royal Mail worker Ali Dahir to take the cards posted by Oberthur or he and his family would be hurt. No evidence of this was opened to the court. It was accepted by the Crown Counsel that Waugh was not directly related with such threats. The article implied that Waugh was substantially involved in relation to the £870,000. No facts were presented to the court to suggest Mr Waugh was linked to the full extent of the scam. No evidence was presented to the court to suggest that Waugh had a gang that was making money, or could make money, from the Oberthur cards. No evidence was placed before the court to suggest that Mr Waugh was the 'kingpin', a term used by a police officer after the court hearing, or that a gang run by Mr Waugh used more than 3,000 cards to buy £870,000 worth of goods". (CI 1)*

## The Citizen Complaint

Dr Warden of South Gloucester Mental Health Centre complained that an article had inaccurately set out that on the day that she committed suicide Nicola Fuller had seen a student nurse who had told her to "go away and pull herself together".

## Resolution

The complaint was resolved when the newspaper published the following correction and apology: *"The Editor wishes to apologise to the medical staff involved for the incorrect information given in the article headlined "Suicide Verdict of Gay Army Girl" which was carried in The Citizen on June 23, 2006. The article suggested that Nicola Fuller saw a student nurse, on the day of the suicide, who told her to "pull herself together." This is not true. Ms Fuller did see a student nurse on that day, but was not told to pull herself together. The Citizen would like the public to know that the suicide was in no way related to the contact with the student nurse". (CI 1)*

## Closer Magazine Complaint

Mr Benjamin Mack of Selkirk complained that an article which reported actress Claire King's account of the end of her marriage contained her inaccurate allegation that she had out a harassment order against him.



## Resolution

The complaint was resolved when the magazine published an item correcting the position and making clear that, contrary to Ms King's claims, she did not have out a harassment order against the complainant. (CI 1)

## Comet Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the Comet describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

## Resolution

The matter was resolved when the newspaper noted the complainant's position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she "claimed to have had an affair with Mr Prescott" are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor's office or elsewhere. (CI 1)

## Crawley News Complaint

Mr Gary Walker, Chief Executive of Surrey and Sussex NHS Trust, complained that an article which reported that, owing to the fact that he was on holiday, he had missed a meeting with the Prime Minister was inaccurate and misleading.

## Resolution

The complaint was resolved when the newspaper published the following clarification: *'Further to our front page story of the 19th April, headlined "Meet the PM? Sorry I am on holiday", we have been asked to make clear that Gary Walker, Chief Executive of Surrey and Sussex Healthcare NHS Trust, was never invited to the meeting with the Prime Minister to which the article referred. Professor Irene Scott,*

*Director of Nursing for the Trust who did attend the meeting, did not do so "in Mr Walker's place". We are happy to clarify the position and regret any inaccuracy'. (CI 1)*

## Crier Complaint

Mrs Barbara Middleton, Interim Manager for Accessible Transport West Somerset (a community transport scheme) complained that an article reporting the resignation of one of its co-ordinators contained inaccuracies. The complainant argued that Mr Ron Wright had not 'resigned' but had – in fact – accepted redundancy, a package which included several thousands of pounds of charitable funds in a tax free redundancy payment. Furthermore, the complainant said that there had been no price increase from £20 to £125 for the use of the scheme's mini bus and that there had been no 'huge hike' in price for many users.

## Resolution

The newspaper offered to publish a letter from the complainant to allow her to set out her position. However, the complainant decided to let the matter rest and allow her concerns to be registered through a statement on the PCC website. (CI 1)

## Daily Express Complaint

The Pryer family complained that an article was likely to have misled readers into believing that the death of Colin Pryer in a caving accident could have been prevented had the police responded sooner to a 999 call from his girlfriend.

## Resolution

The newspaper published a statement making clear that that the inquest into the accident did not find that the delayed police response was a factor in Colin Pryer's death. (CI 1)

## Daily Express Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the Daily Express



describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

## Resolution

The matter was resolved when the newspaper noted the complainant's position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she "claimed to have had an affair with Mr Prescott" are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor's office or elsewhere. (CI 1)

## Daily Express

### Complaint

Ms Patricia West complained that the headline of an article reporting on the death of Diana had inaccurately claimed that her body had been illegally embalmed in order to cover up her pregnancy. In fact, the article later made clear that it had not yet been ascertained whether Diana had been pregnant at the time of her death.

## Resolution

The complaint was resolved when the newspaper published the following clarification: *Our May 8 2006 report, headlined "Diana Death: Truth At Last" was meant to pose the question about whether the Princess's body had been embalmed in order to cover up a pregnancy. The Princess's body was indeed illegally embalmed in France after the crash but it has yet to be established whether there was any cover up. We apologise for any misunderstanding that may have occurred. This was not intended.* (CI 1)

## Daily Ireland

### Complaint

The footballer Dado Prso of Rangers Football Club complained through Levy & McRae Solicitors in Glasgow that an article was inaccurate when it alleged that he was captured on video singing a sectarian song on the Rangers team bus.

## Resolution

The complaint was resolved when the newspaper sent a private letter of apology to the complainant and published the following prominent correction and apology: *"In our edition of 15 February 2006 we ran a story about a video clip featuring Dado Prso, the Rangers player. We now accept that the clip shows Dado Prso singing "Hello, Hello, We are the Billy Boys" which words are not sectarian and not the entire words of the song. We acknowledge that a melody with no lyrics was played on the team bus. We acknowledge that Rangers FC strives through campaigns "Pride over Prejudice" to fight bigotry and sectarianism in football. We apologise for any embarrassment and distress caused".* (CI 1)

## Daily Mail

### Complaint

A couple complained that the newspaper had published a photograph of their fourteen-year-old daughter and her friend – taken from a posting on the website 'bebo' – to illustrate an article about the dangers of schoolgirls posting their details on the internet. The complainants were particularly concerned that their daughter's name was visible in the photograph which could therefore lead to her identification. The complainants said that they had no idea that a friend of their daughter had posted the photograph on her 'bebo' account.

## Resolution

The newspaper sought to explain that it had taken the image from another newspaper and that the photograph was, in any case, available in the public domain through its featuring on the website. Whilst the complainants remained concerned about their daughter's identification, the matter was resolved when the newspaper apologised to the complainants and undertook to place a warning on the image in its library to make clear that it should not be used again. (CI 3 & 6)

## Daily Mail

### Complaint

A woman complained that the newspaper had sought to interview her at her home with regard to a high-profile court case involving her daughter despite a request from police not to approach her or her family.

## Resolution

The complaint was resolved when the newspaper – which believed that it was in the public interest to give the complainant an opportunity to comment on the case on a single occasion – sent a private letter of apology to the complainant. (CI 4)

## Daily Mail Complaint

Mr Simon Roscoe complained through Mr Pat Benson LLB that an article on Duncan James, his son, contained inaccuracies.

## Resolution

The complaint was resolved when the newspaper attached a record of the complaint to its internal database and made a note that the complainant had asked to be given an opportunity to comment on further articles involving him. The newspaper also passed on the contact details of the complainant's parents to Mr James' agent for any possible future meeting. (CI 1)

## Daily Mail Complaint

Mrs Cherie Blair complained, through Atkins solicitors, that an article had contained a quotation inaccurately suggesting that she had offered to help 'smooth the way' for the closure of the roads around Whitehall to enable the filming of *V for Vendetta*, on which her son Euan was working.

## Resolution

The complaint was resolved when the newspaper published the following clarification: *"Mrs Blair has asked us to make clear that she was not asked to nor did she offer to assist in obtaining the closure of the roads round Whitehall while her son Euan was working with the crew making the film V for Vendetta, as may have been suggested in part of an article we published on 3rd December last year. Mrs Blair informs us that this would be something she has no influence to do".* (CI 1)

## Daily Mail

### Complaint

Mrs Kathleen Bradbury of Burntwood complained that an article had inaccurately claimed that one in five residents in care homes was seriously underfed. The complainant contended that this implied that one in five of the residents in the care home where she worked was underfed, which was not the case. Moreover, the article had not referred to the inspections of care homes, or the strict policies and procedures that had to be adhered to.

### Resolution

The complaint was resolved when the newspaper removed the phrase "one in five care residents is seriously underfed" from its databases, and made clear in its records that this referred to "rogue homes" which had been identified as failing in their standards. The newspaper explained that there had been no intention to indicate that it was any other than the rogue homes which were neglecting those in their care. (CI 1)

## Daily Mail Complaint

Ian Brady of Broadmoor complained that the newspaper had inaccurately attributed quotations to him – which stated that 'perversion is the way a man thinks, the way he feels, the way he lives. Rape is not a crime, it's a state of mind, murder is a hobby and a supreme pleasure' – in a notebook connected to the Moors Murder trial.

### Resolution

The complaint was resolved when the newspaper – which had taken the information from an earlier article in a different newspaper – published the following correction: *"Our report on 31 December on the Moors murders quoted from a notebook we mistakenly attributed to Ian Brady. In fact it belonged to prosecution witness David Smith."* (CI 1)

## Daily Mail Complaint

Lord Carlisle of Berriew Q.C. complained that a diary piece about him and his family was intrusive, especially in its references to previous events in his daughters' lives.

## Resolution

The complaint was resolved privately between the two parties. (CI 1 & 3)

## Daily Mail

### Complaint

Mr Simon Dally, legal advisor to the Save the Newchurch Guinea Pigs campaign, complained on behalf of Mel Broughton and John Curtin that, contrary to a claim in an article, the two men had not been described as 'terrorists' by a High Court judge.

## Resolution

The complaint was resolved when – following the concerns raised by a Commissioner – the newspaper published the following clarification: *"In an article 'Who Are the Real Animals' (3 September 2005) about animal rights activism we wrongly said that Mel Broughton and John Curtin had been branded 'terrorists' by a High Court judge. In fact, the judge described the campaign – against Newchurch guinea pig farm, to which Mr Broughton and Mr Curtin are allegedly connected – as a form of 'terrorism'."* (CI 1)

## Daily Mail

### Complaint

Mr A G Eden of Cheltenham complained that an article had mistakenly stated that, when Len Hutton scored 364 runs at the Oval in 1938, he had broken Don Bradman's highest test innings record of 334 made in 1934. In fact, as the complainant pointed out, the record Hutton broke belonged to Wally Hammond, who had scored 336 in 1936.

## Resolution

The matter was resolved when the newspaper acknowledged its error and thanked the complainant for pointing it out. The newspaper said it had marked its cuttings library and databases with the correct information and would be more careful in future. (CI 1)

## Daily Mail

### Complaint

Mr Gary Gibson complained through Anne Woodcock & Co Solicitors that an article was inaccurate when it stated that he had pleaded guilty to over 400 domestic burglaries. In fact, all of the burglary offences he admitted were at unoccupied commercial premises.

## Resolution

The complaint was resolved when the newspaper published the following clarification in its report of the complainant's sentencing: *'On August 9, the Daily Mail suggested Gibson had broken into homes. We are happy to make clear that all the burglary offences he committed were at unoccupied commercial premises.'* (CI 1)

## Daily Mail

### Complaint

Mr Matthew Holbrook, a model from London, complained that the newspaper had inaccurately alleged that he had been involved in a romantic relationship with the actress Patsy Kensit since January 2006. Mr Holbrook denied this central claim in the article, and the claims that he wanted to marry Ms Kensit, followed her around like a puppy dog, gave her a homemade card and told friends that she was 'the most amazingly spiritual person I have ever met'. He also objected to the fact that the newspaper sought to approach his family.

## Resolution

The complaint was resolved when the newspaper – which had a number of confidential sources for the article – annotated its records to reflect the complainant's denials, noting that the complainant would like to be consulted in advance of the publication of stories relating to him. It also made clear that it was careful to abide by the terms of the Code regarding issues of privacy. (CI 1 & 3)

## Daily Mail

### Complaint

Sir Mick Jagger complained, through Smyth Barkham solicitors, that the newspaper had published sufficient information to enable people to find the whereabouts of his new home in West London.

## Resolution

The complaint was resolved when the newspaper – which did not consider that it had identified the precise location of the house – apologised to the complainant, removed the relevant photograph from its website and internal records and made a note that any future story should take heed of the complainant’s concerns. (CI 3)

## Daily Mail

### Complaint

Mr Jason Johnson, a postman for Royal Mail, complained through the Communication Workers Union that an article which focused on his disability intruded into his privacy and discriminated against him in breach of the Code.

### Resolution

The complaint was resolved when the newspaper published the following apology: *“We would like to make it clear that Richard Littlejohn’s remarks (Mail, March 17) about the postman who suffered from dyslexia were directed at those responsible for employing him in a task which could have been made more difficult because of his disability. They were not intended to be directed personally at Mr Jason Johnson and we apologise to him sincerely if they were so misinterpreted”.* (CI 3 & 12)

## Daily Mail

### Complaint

Ms Jane Lane complained that an article which reported a piece she had co-authored with Lord Ouseley in the journal Race Equality Teaching was inaccurate and misleading, in particular with reference to its headline.

### Resolution

The complaint was resolved when the newspaper published a letter from the complainant which set out her position. (CI 1)

## Daily Mail

### Complaint

Andrew Lovett, Head of Tiverton High School, complained that an article which reported the details of a newsletter he had sent to pupils about their reaction to the snow was

inaccurate. He said that he had not ‘banned’ the throwing of snowballs; that he did not say snowballs should not be thrown without ‘prior consent’; and that, contrary to the article’s claim that the move had been described as ‘ridiculous’ by parents, he had not received any complaints from parents.

## Resolution

The complaint was resolved when the newspaper apologised for any distress that might have been caused to the complainant and accepted that it had made a mistake in using quotation marks for something which was not in the complainant’s newsletter. The newspaper also agreed to put the complainant’s objections on record for future reference. (CI 1)

## Daily Mail

### Complaint

The McCartney family complained, through Sheridans solicitors, that photographs taken of Paul McCartney and his daughter Beatrice in a hotel swimming pool were intrusive, especially given that Beatrice’s face was clearly visible.

### Resolution

The complaint was resolved when the newspaper undertook not to republish the photographs under complaint and placed a warning note on its files, making clear that any future pictures of Beatrice should be carefully considered at a senior level before publication in regard to both the terms of the Code and the concerns of her parents. (CI 3 & 6)

## Daily Mail

### Complaint

Lord Mercer-Nairne complained that an article had inaccurately suggested that his estate had received a grant from a quango of which his wife was a member.

### Resolution

The complaint was resolved when the newspaper published a correction with the following wording: *“An article on April 19 suggested that Lord Mercer-Nairne received £9,000 in public money to upgrade a path on his estate. Robert Mercer-Nairne asks us to clarify that although an*

agreement in principle was reached to facilitate public access after he gave up running the Meikleour Estate – which he did not own – no money was paid across. The upgrade is still under discussion”. (CI 1)

## Daily Mail

### Complaint

Ben Redfern-Edwards of HMP Frankland complained that an article which reported his conviction and background contained inaccuracies.

### Resolution

The complaint was resolved when the newspaper amended its internal records to reflect the points raised by the complainant and published the following correction: *“Convicted murderer and armed robber Ben Redfern-Edwards, found guilty of battering to death Mrs Jacqueline Ross with a brick (Mail 12 November 2005) and sentenced to life imprisonment, was found by the judge not to have had a sexual motive for the brutal killing”.* (CI 1)

## Daily Mail

### Complaint

Mrs Rolanda Reid of Surrey complained that an article in the newspaper about Attention Deficit Hyperactivity Disorder (ADHD) had ‘demonised’ the drug Ritalin which was used to treat the condition. The article said that Ritalin had a similar chemical formula to cocaine but the complainant pointed out that, although the drug was a stimulant, it was not intended for the high dosage generally used by drug addicts. Furthermore, she said that the drug had successfully treated many children and remained the safest and most effective option. Complications as a result of taking Ritalin represented a tiny percentage of those to whom it had been prescribed. She said that Ritalin was only prescribed after a one year waiting list to see an educational psychiatrist and was taken in combination with parenting classes, special schools, special needs classes and social therapy.

### Resolution

The newspaper defended its position making clear that Ritalin had been ‘linked’ to the deaths of children in the UK and the US. However, the complaint was resolved when the newspaper agreed to carry a note of the complainant’s concerns on its records for future guidance. (CI 1)

## Daily Mail

### Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the Daily Mail describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

### Resolution

The matter was resolved when the newspaper noted the complainant’s position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she “claimed to have had an affair with Mr Prescott” are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor’s office or elsewhere. (CI 1)

## Daily Mail

### Complaint

Mr Graham Worthington of Surrey complained that the newspaper had inaccurately claimed that two policemen, who were cited in the Stephen Lawrence inquiry, served at the East Dulwich Police Station, at which he had been a Detective Inspector. The newspaper had also inaccurately claimed that the station was “notoriously corrupt”.

### Resolution

The complaint was resolved directly between the two parties, before a PCC investigation, when the newspaper published a correction and apology. (CI 1)

## Daily Mail

### Complaint

Dr Richard Yuill of Glasgow complained that an article inaccurately associated him with paedophilia and sexual offences. He emphasised that he had never been convicted, or dismissed from a teaching job, for any sexual offence.



## Resolution

The complaint was resolved when the newspaper published the following correction: *"Further to our article published on 20 January headlined 'Scotland's sex shame lecturer' we would like to make clear that, although Dr Richard Yuill was indeed struck off the General Teaching Council for Scotland for 'inappropriate' behaviour, the stated reason for his dismissal related to allegations of pupil drinking and drug taking and not for an alleged incident on a school swimming trip. Dr Yuill could not have been caught by any 'sex checks' regarding his previous conduct when he applied for a lecturing job, as we suggested."* (CI 1)

## Daily Mail (Scottish Edition)

### Complaint

Mr Gordon Strachan, Manager of Celtic Football Club, complained through Harper Macleod Solicitors of Glasgow that an article on his relationship with referees in Scotland contained inaccuracies.

### Resolution

The complaint was resolved when the newspaper published the following wording and attached it to its archives: *"In an article of 20 September 2005 we stated that referees were "irked" by Celtic manager Gordon Strachan's "vehement defence" of Neil Lennon following his red card after the Rangers v Celtic match on 20 August and were left "baffled, bemused and deeply concerned by his motives" following comments after the match against Hibernian on 18 September. It was also suggested that Mr Strachan had implied that Alan Thompson should not have been sent off in the earlier match. We would like to make clear that the information about the referees was provided by retired Grade One referee Willie Young, a Sportsmail columnist, and that Mr Strachan has received no complaints or comments from referees or the Scottish Football Association regarding his comments or conduct following either of these matches. We regret any misunderstanding on this point. We also make clear that Mr Strachan denies having vehemently defended Neil Lennon or having suggested that Alan Thompson should not have been sent off, maintaining that his motivation in speaking after the match against Hibernian was simply to comment on the application of the Laws of the game during that match"*. (CI 1)

## Daily Mail (Scottish Edition)

### Complaint

Mr Philip Jones, Chief Executive of Berwickshire Housing Association, complained about an article in which a couple who lived in a house it had built as part of an eco-friendly building criticised the amount of energy the house was able to produce. The complainant said that, contrary to the claim in the article, the photovoltaic system was rated at 4kW and quite capable therefore of producing enough electricity to boil a kettle. In fact, enough electricity was generated on a daily basis to boil around seventy kettles.

### Resolution

The complaint was resolved when the newspaper published the following letter from the complainant: *"With regard to the article published on 11 July 2006, entitled 'Our solar panels could hardly boil a kettle', I write on behalf of Berwickshire Housing Association, owner of the property, to correct a number of factual inaccuracies.*

*First, the photovoltaic array is rated at 4kW peak, that is, 4kW is the maximum output of the system at any given point in time. Given that the average kettle is rated at 2.2kW, the system is quite capable of supporting such an appliance in peak conditions. Moreover, the system's energy production has been monitored constantly since installation and, over a 12 month period, the photovoltaic array produced 3,300kWh of electricity – enough to boil around 70 kettles a day.*

*In terms of the residents' awareness of the source of electricity generated, the 'seamless switch' function of the designed system means that the residents should not notice any change in the source of supply, that is from photovoltaic to National Grid, and vice versa. The system is designed purposely to ensure continuity of supply at point of usage.*

*The panels produce energy in response to light and any energy not drawn down directly by the residents has been supplied to the National Grid – contributing to the energy produced nationally from renewable sources.*

*The reference to the wind turbine reducing heating costs is mistaken, as the turbine produces electricity (not heat) at the property. The project has complied with all requirements of the DTI study of which it formed a part."* (CI 1)

## Daily Mirror

### Complaint

Mrs C Addams of Conwy complained that an article which reported a 'happy slapping' victim who "slapped back" was inaccurate and misleading since the incident was staged.

### Resolution

The complaint was resolved when the newspaper published the following wording: *"On 17 April we (along with another newspaper) ran a story including pictures about a happy slapping victim who "slapped back". The story, which was provided to us by an agency, was based on footage from a mobile phone available on www.youtube.com. We have since learnt that the footage is not genuine and was a stunt by three friends (two of whom appear in the footage)". (CI 1)*

## Daily Mirror

### Complaint

Ian Brady of Broadmoor complained that the newspaper had inaccurately attributed quotations to him – which stated that people were 'maggots' and 'worthless fish bait', that 'rape is not a crime, it's a state of mind, murder is a hobby and a supreme pleasure', and 'you live for one thing, supreme pleasure. Sadism is the supreme pleasure!' – in a notebook connected to the Moors Murder trial.

### Resolution

The complaint was resolved when the newspaper – which had taken the information from an earlier article in a different newspaper – published the following correction: *"We wish to make clear that the notebooks quoted and attributed to Ian Brady in fact belonged to David Smith, a prosecution witness." (CI 1)*

## Daily Mirror

### Complaint

Mr D K Dauscha complained that an article was inaccurate when it stated that he had identified his brother Michael as the infamous Sergeant BB in relation to the Deepcut report.

### Resolution

The complaint was resolved when the newspaper published the following correction and apology, in addition to

amending its internal records and website accordingly: *"Although David Dauscha confirmed to us (which we reported) that his brother, Michael, was "a violent psycho and a bully who is capable of anything", he did not identify his brother as – and was not aware that he was – Sgt BB in relation to the Deepcut report, as we claimed (page 4, April 5 and early editions page 5, April 6). We apologise to Mr David Dauscha for our mistake." (CI 1)*

## Daily Mirror

### Complaint

Mr Philip Riley complained, through Henry Hyams solicitors, that an article alleging he had been involved in an escape plot with Ian Huntley was inaccurate. He made clear that he had no relationship whatsoever with Huntley.

### Resolution

The complaint was resolved when the newspaper – which was relying on information from a confidential source – offered to publish a correction. (CI 1)

## Daily Mirror

### Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the Daily Mirror describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

### Resolution

The matter was resolved when the newspaper noted the complainant's position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she "claimed to have had an affair with Mr Prescott" are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor's office or elsewhere. (CI 1)

## Daily Mirror

### Complaint

Ms Jean Sinclair of Market Rasen complained, on behalf of her granddaughter, Roselea, that an article on the subject of Roselea's childhood contained inaccuracies.

### Resolution

The complaint was resolved when the newspaper published the following apology: *"Further to our article of 31st January headlined "How a horse saved my life", we have been asked to make clear that Roselea Sherer does not consider that she was bullied, criticised or neglected by her mother, with whom she gets on well and is in regular contact. It was Roselea's mother who introduced her to, and helped her with, her riding career. She spent four weeks on a working holiday in Wales with the Cooper family prior to moving to Devon in December 2004. Roselea is now living in Devon with a new family, where she is a successful Show Rider. Further information is available on www.roseleasherer.com. We apologise for any distress caused by our article".* (CI 1)

## Daily Post

### Complaint

Mr Vincent Tomlinson, Chairman of the Merseyside Black Police Association, complained that the question he had been asked – "Is Liverpool uniquely racist?" – had been replaced in the article by the question "Should we be ashamed of our attitude to race?".

### Resolution

The complaint was resolved when the newspaper published a letter from the complainant and an apology in its Trust the Post column on the opposite page. The newspaper also amended its online records with the question that had been posed to the complainant. (CI 1)

## Daily Record

### Complaint

Ms Andrea Adamson, the Chief Executive of The State Hospital, Carstairs, complained that the newspaper had referred to the mental illness of a patient in an insensitive and pejorative way, especially in the use of the terms "psycho" and "crazed".

## Resolution

The complaint was resolved when the newspaper affirmed that it was sensitive to issues surrounding mental health. It annotated its records to reflect the complainant's concerns and reissued the PCC Guidance Note on the subject to journalists. (CI 12)

## Daily Record

### Complaint

Mr Martin Hamilton of HM Glenochil Prison complained that an article inaccurately suggested that he had a taste for 'sexual sadism' on young men. In fact, the complainant said that he had never been convicted of, or questioned over, any sexual offence.

### Resolution

The complaint was resolved when the newspaper published a letter from the complainant making clear that he had never been questioned or convicted over any sexual offences. (CI 1)

## Daily Star

### Complaint

Mark Charnock and Charley Webb, both actors in the television programme Emmerdale, complained that the newspaper had stated that Mr Charnock 'had the hots' for Ms Webb and that they had been seen 'snuggling'. This followed a similar article in the News of the World, which had later been resolved with the publication of a correction. In fact, Mr Charnock and Ms Webb are just good friends and colleagues; Mr Charnock, in fact, has a wife and children.

### Resolution

The complaint was resolved when the newspaper published a correction, making clear that there was no romantic link between the two actors. (CI 1)

## Daily Star

### Complaint

The Pryer family complained that an article was likely to have misled readers into believing that the death of Colin Pryer in a caving accident could have been prevented had



the police responded sooner to a 999 call from his girlfriend.

## Resolution

The newspaper published a statement making clear that that the inquest into the accident did not find that the delayed police response was a factor in Colin Pryer's death. (CI 1)

## Daily Star

### Complaint

Mr and Mrs Gammons of Lincolnshire complained that an article reporting that Mr Gammons had developed a shopping addiction after receiving a kidney from his wife was, for the most part, 'made up' having been 'cobbled' together from two articles in the local press. The complainants were also upset at the publication of a photograph of their family without permission.

### Resolution

The complaint was resolved when the newspaper agreed to take the following action: to annotate its records to reflect all the concerns raised by the complainants, including every disputed point and quotation; to undertake not to publish the photograph again; to undertake not to republish the article or to sell the article to other publications. The newspaper also made the offer of a published apology but this was declined by the complainants. The complainants finally asked for reference to be made to the [www.kidneyresearchuk.org](http://www.kidneyresearchuk.org) website. (CI 1 & 3)

## Daily Telegraph

### Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the Daily Telegraph describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

### Resolution

The matter was resolved when the newspaper noted the complainant's position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any

advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she "claimed to have had an affair with Mr Prescott" are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor's office or elsewhere. (CI 1)

## Dartford Times

### Complaint

Mrs Madeleine Crow of Dartford complained that an article about the marathon, which was illustrated with a photograph of her running, had inaccurately attributed comments to her regarding Jade Goody running the marathon. In fact, the complainant said that she was running the marathon to raise money for the Lions Hospice and Ellenor Hospice and, other than saying she had seen people calling out to Ms Goody, she did not make any other comments about her.

### Resolution

The complaint was resolved when the newspaper published an item making clear the causes the complainant was supporting in running the marathon and clarifying that she had not been critical of Ms Goody. The editor also wrote to the complainant and apologised if the article had caused her offence. (CI 1)

## Derby Evening Telegraph

### Complaint

A woman from Derby complained that an article reporting on a girl who needed stitches after a dog bite was inaccurate.

### Resolution

The complaint was resolved when the PCC published a statement setting out the complainant's position on the incident: that the girl had run up to the dog calling her name and stroking her head; that she had suddenly bent down grabbing the dog by its head, putting her face close to the dog's face and startling her; that the girl's face was not covered in blood; that telephone numbers were exchanged between the child's parents and the dog's owners; and that the police had tested the dog and stated that he was not a dangerous dog. (CI 1)

## Evening Chronicle

### Complaint

Mr Gordon Bell of Alberta, Canada, complained that an article which reported the outcome of testing conducted at the Ministry of Defence's chemical and biological warfare site at Porton Down contained inaccuracies.

### Resolution

The complaint was resolved when the newspaper published the following correction: *"On 29 May 2006, the Chronicle recalled the events leading to the family of RAF serviceman Ronald Maddison receiving compensation for his death during a test at the Ministry of Defence's chemical and biological warfare site at Porton Down. The feature referred to Gordon Bell, who presented a file to Wiltshire Police calling for an investigation into the testing. The article incorrectly referred to Mr Bell as George Bell, for which we apologise. The article also said Mr Maddison received £15 following the test, which should have read 15 shillings, and that three other servicemen were involved in the testing, which should have read five. Mr Bell has also pointed out that Sarin GB, rather than Sarin B, was used in the test. In addition, our article said that 14 days extra leave was given to those subject to experiment. Mr Bell states that there is no evidence to suggest that 14 days leave was ever given. After he left Porton Down he was allowed to have a 48 hour pass. Mr Bell also questioned the article's claim that "others like Maddison lost their lives" despite its earlier statement that Mr Maddison was the only person to die in the trials. The relatives of other servicemen involved are reported as believing the tests have caused other premature deaths. We are happy to clarify the situation".* (CI 1)

## Evening Gazette (Middlesborough)

### Complaint

Ms Debbie Robertson of Stockton on Tees complained that an article about her brother Ivor Jones – who was imprisoned for manslaughter following the killing of his wife – was inaccurate when it referred to the existence of a "family feud". The complainant was also concerned that a series of articles on the case intruded into the grief of Mr Jones' children and raised a breach of Clause 6 (Children). Finally, the complainant raised concerns, with signed authorisation, that correspondence from her friend had been passed to a third party without permission.

## Resolution

The complaint was resolved when the newspaper and the complainant met privately to discuss the coverage of the case. (CI 1, 5, 6 & 14)

## Evening Standard

### Complaint

Mr David Benjamin of Kent said that he had been interviewed by The Guardian newspaper for an article on Maths reforms. Subsequently, a journalist from the Evening Standard submitted the content of an article he was writing for the complainant's comments following a conversation they had had on the same topic. The complainant said that he suggested a few changes and asked that the journalist check his facts on the manner in which Maths was taught in Australia. The complainant then saw that the newspaper had published a short letter, claiming to be from him, which was out of context, with many of his views missing.

### Resolution

The newspaper said that there had been a genuine misunderstanding and offered to publish a letter from the complainant with an attached apology reading: *On 29 June we printed a letter which, due to a misunderstanding, did not accurately reflect Mr Benjamin's views, for which we apologise.*

The complainant was happy with the newspaper's offer and agreed to resolve his complaint on this basis because, given that he was happy with the way in which his views were expressed in The Guardian article, he saw no benefit in expressing his views in a different newspaper. (CI 1)

## Evening Standard

### Complaint

Mr Jason Johnson, a postman for Royal Mail, complained through the Communication Workers Union that an article which focused on his disability intruded into his privacy and discriminated against him in breach of the Code.

### Resolution

The complaint was resolved when the newspaper published the following apology: *"We would like to make it clear that our article on 15 March, about a postman who suffered from dyslexia, related to his employment in a position*

*which could have been made more difficult because of his disability. It was not intended to be directed personally at Mr Jason Johnson and we apologise to him for any misunderstanding". (CI 3 & 12)*

## **Evening Standard**

### **Complaint**

Philip Law, Public and Industrial Affairs Director of the British Plastics Federation, complained that an article was inaccurate when it claimed that "eight tonnes of crude oil are used to make one tonne of PVC". The complainant was also concerned with the article's claim that PVC and polystyrene were difficult to recycle.

### **Resolution**

The complaint was resolved when the newspaper published a letter from the complainant which corrected the first inaccuracy – which was accepted – and addressed the suggestion that polystyrene and PVC were difficult to recycle. (CI 1)

## **Evening Standard**

### **Complaint**

Mr James White complained that an article which reported on the one year anniversary of the 7/7 London bombings contained private information about his partner who died in the attacks.

### **Resolution**

The complaint was resolved when the newspaper offered to send a private letter of apology to the complainant in addition to making a note on its files outlining his concerns. (CI 3)

## **Evening Standard**

### **Complaint**

Ms Sandra Yardon-Pinder, Headteacher of Geoffrey Chaucer Technology College, complained through Equal Justice Solicitors that two articles which related to the school contained inaccuracies. The complainant also raised concerns under Clause 4 (Harassment) and Clause 12 (Discrimination).

## **Resolution**

The complaint was resolved when the newspaper published the following clarification: *'We have been asked to confirm that the headteacher, Ms Sandra Yardon-Pinder, was not suspended from Geoffrey Chaucer Technology School as we reported in our article in March 2006. An Interim Executive Board was appointed at the school in November 2005 by the Southwark LEA. She was placed on garden leave on 10 February 2006. We are happy to clarify this matter. (CI 1, 2, 4 & 12)*

## **Express & Echo**

### **Complaint**

Ms Lisa-Marie of Devon complained that an article reporting on a dispute over the production of a video commissioned by her manager Graham Stone from the Cheeky Girls' mother – Margit Imiria – contained a number of inaccuracies. Specifically, she contended that – contrary to the article – she was "pop star material", and had performed alongside a number of major artists.

### **Resolution**

The complaint was resolved when the newspaper published a follow up story reporting that a court had now ruled against Margit Imiria, and that Lisa-Marie hoped to soon be offered a major recording contract. The article also emphasised that Lisa-Marie had performed with acts such as Will Young and Blue. (CI 1)

## **Express & Echo**

### **Complaint**

Mr and Mrs Reynolds and Mrs J Nicholas complained that an article had inaccurately contended that Aalen House Nursing Home had been rescued from the brink of collapse by its new owners, and as a result had been awarded with a congratulatory picture from the Queen.

### **Resolution**

The complaint was resolved when the newspaper published the following clarification: *"Following an article published in the Echo on May 31, we have been asked to make it clear by the former owners of Aalen House Nursing Home in Okehampton, Mr and Mrs Reynolds and Mrs J H Nicholas, that at the time the business was sold it was not on the "brink of collapse" and did not*

*need “rescuing”. We also wish to make clear that a portrait of the Queen presented by Geoffrey Cox P was made as part of celebrations to mark the Queen’s 80th birthday and was not an award specific to the nursing home. We are happy to set the record straight”. (CI 1)*

## **Falkirk Herald**

### **Complaint**

A former member of the Special Boat Squadron complained that an article had revealed details about his former military service and published his full address. The complainant said that, in times of heightened security, revealing such information could have serious consequences for the person named and their family.

### **Resolution**

The newspaper wrote to the complainant and apologised if his safety had been compromised by the article. The editor said he had spoken to his staff to ensure that they were aware of the sensitivities regarding military personnel. The editor also annotated the newspaper’s records with a note of the complainant’s concerns so that anyone accessing the article in future would be aware of the matters raised. (CI 3)

## **Faversham Times**

### **Complaint**

Mr Trevor Fentiman, Mayor of Faversham, complained that an article had inaccurately suggested that he had referred to a piece of land as ‘ripe for development’ and was involved in the manipulation of the political agenda to benefit a businessman to whom he was close.

### **Resolution**

The complaint was resolved when the newspaper published a follow-up article which made clear that the complainant had been cleared of all charges against him. (CI 1)

## **Ferryhill and Chilton Chapter**

### **Complaint**

Mr Brian Gibson of Ferryhill complained that an article reporting that he had highlighted a procedural error which

led to the unexpected closure of the Ferryhill Community Partnership AGM was misleading. The complainant made the following points clear: his attendance at the Partnership meetings was made in his personal capacity rather than as Secretary of the Ferryhill Allotment Association; the Partnership was a charity with a legally binding constitution requiring adherence to procedural regulations – the convening of the AGM, the nomination of people seeking office and the presentation of the income and expenditure accounts to the AGM for their endorsement; and that the Chairman had no choice but to close the meeting when it became clear that those procedural regulations had not been met.

### **Resolution**

The complaint was resolved when the newspaper published a letter from the complainant and his concerns were set out in a statement on the PCC website. (CI 1)

## **Gloucestershire Echo**

### **Complaint**

Mr Gary Waugh complained through his solicitors Knight Polson that an article had contained a number of inaccuracies in relation to his trial, the charges he was sentenced for, and his role in the credit card scam.

### **Resolution**

The complaint was resolved when the newspaper published the following clarification: *“In an article published in the Echo on June 13, 2006, it was stated that Gary Waugh, of Station Road, Gloucester, was jailed for seven years for masterminding an £870,000 credit card scam. We have been asked to point out that Waugh was sentenced to 24 months for two offences of handling goods valued at £24,000, 12-24 months for five proceeds of crime offences and five years consecutive for drug supply offences. Further, the article stated that Waugh’s gang told Royal Mail worker Ali Dahir to take the cards posted by Oberthur or he and his family would be hurt. No evidence of this was opened to the court. It was accepted by the Crown Counsel that Waugh was not directly related with such threats. The article implied that Waugh was substantially involved in relation to the £870,000. No facts were presented to the court to suggest Mr Waugh was linked to the full extent of the scam. No evidence was presented to the court to suggest that Waugh had a gang that was making money, or could make money, from the Oberthur cards. No evidence was placed before the court to suggest that Mr*

Waugh was the 'kingpin', a term used by a police officer after the court hearing, or that a gang run by Mr Waugh used more than 3,000 cards to buy £870,000 worth of goods". (CI 1)

## Gloucestershire Echo

### Complaint

Mrs Annie Williams, niece of Gwendolen Badcock, complained that an article reporting on Mrs Badcock's will had contained the inaccurate comments of Jack Holland.

### Resolution

The complaint was resolved when the newspaper published the following letter from the complainant: *Madam – I refer to the article published about Gwendolen Badcock's will (Echo, August 9). I would like to make the following clarifying statements. With regard to Mr Holland's quotes in the article that said "They tried to say Mrs Badcock was not in her right mind when she wrote the will, but this was disproved" and "They tried to say there was undue influence but this was disproved and then they took out an action", I wish to make it clear that to date none of the evidence produced by either side has been considered by the judiciary system and hence nothing has been proved or disproved. The first claim by the immediate family was withdrawn due to the potentially large legal costs. The second claim was thrown out on a technicality by a Master of the High Court of Justice, Chancery Division, at a case management conference. The claim form did not conform to the rules stipulated by the courts. In neither case was the evidence ever presented in a court of law and therefore has never been opined upon.* (CI 1)

## Grazia

### Complaint

Mrs Patricia Bernal complained that an article which contained her account of Mothers Day, six months after her daughter's murder, contained inaccuracies. She said that although the article was read out to her over the telephone, it was done so quickly and, whilst she may have overlooked certain details, she felt that the published article did not accurately represent her daughter's personality and the situation with which she had to deal. She was also particularly concerned that the manner in which her reaction to her daughter's death had been reported in the article was 'totally fabricated'. She expressed her wish to prevent the article being used by any other publication.

## Resolution

The magazine sought to express how upset and disappointed the Grazia team was that the complainant had been caused further distress by the article's publication. The complaint was resolved when the magazine made clear that it had no intention of republishing the story, or syndicating it, in the future. (CI 1)

## The Grocer

### Complaint

William Gorman, Executive Chairman of The United Kingdom Tea Council Ltd (UKTC), complained that an article inaccurately made reference to tea as the 'number one counterfeit product on the UK market'.

The magazine said that the reference to counterfeited teabags had been based on information from the Anti Counterfeiting Group (ACG), conversations with the Trading Standards authorities and articles published by the BBC. The editor acknowledged – however – that the ACG had since disputed the details in the article emphasising that counterfeiting was a sensitive issue for manufacturers and not a subject which it would have sought to sensationalise in any way.

The complainant said that investigation by the ACG through all the Trading Standards offices could find no evidence of counterfeited tea being sold in the UK and only one case of counterfeited tea in Scotland dating from ten years before.

### Resolution

The complaint was resolved when the magazine published a letter from the complainant which allowed the Tea Council to address the points of concern that it had raised with the article. (CI 1)

## The Guardian

### Complaint

A couple complained that the newspaper had published a photograph of their fourteen-year-old daughter and her friend – taken from a posting on the website 'bebo' – to illustrate an article about the dangers of schoolgirls posting their details on the internet. The complainants were particularly concerned that their daughter's name was visible in the photograph which could therefore lead to her identification. The



complainants said they had no idea that a friend of their daughter had posted the photograph on her 'bebo' account.

## Resolution

The newspaper sought to explain that it had taken the image from the 'bebo' website to illustrate an important story on the dangers of teenage networking websites. However, the newspaper accepted that it had not done everything possible to protect the girls' anonymity. Whilst the complainants remained concerned about their daughter's identification, the matter was resolved when the newspaper took the following action: it wrote to the complainants and apologised; it removed the photograph from the newspaper's databases; it sent the complainants copies of the deleted images; and it wrote a letter of apology to their daughter. (CI 3 & 6)

## The Guardian Complaint

Boris Berezovsky complained, through Carter-Ruck solicitors, that the newspaper had failed to report the outcome of a defamation action to which it had been a party. The newspaper had – through the offer of amends procedure – agreed to a statement in open court, in which it apologised to the complainant, and which it then reported. The amount of compensation had not been established at that point, and so did not appear in the newspaper's report of the court hearing. When the amount was subsequently agreed, the complainant considered that the newspaper should publish it.

## Resolution

The complaint was resolved when the newspaper – noting the unusual nature of the case, which involved a statement in open court as part of an offer of amends – published the following clarification: *"In an article "Berezovsky apology" p8, 22 December 2005, we referred to a statement in open court the previous day in which we apologised to Mr Berezovsky. We omitted to mention that under the offer of amends procedure, the amount of compensation to be paid by the defendants to Mr Berezovsky, unless otherwise agreed, would be determined at a separate hearing. The Guardian has since agreed to pay Mr Berezovsky £20,000 damages and his legal costs in settlement of his claim."* (CI 1)

## The Guardian Complaint

Mr Terry Byrne complained that an article reporting on the trial of three former drugs investigators had inaccurately set out that – when giving evidence – he had said that it was "quite normal" for large samples of heroin to be allowed to go on the streets. In fact, the complainant had said that he could envisage circumstances where it could be in the best interests of the public for a large sample to be lost, where it was an essential part of the operation to identify and prosecute large scale drug trafficking organisers. However, he had made it clear in court that circumstances such as these would not be common and would require strong justification on a case-by-case basis. The complainant was particularly concerned over the inaccuracy because, taken at face value, he contended that it portrayed an irresponsible law enforcement policy and exposed both him and HM Customs & Excise to public condemnation and to embarrassment amongst law enforcement counterparts. He also contended that the reporters, who had known him from previous contact, had made no attempt to confirm the accuracy of the statement prior to publication.

## Resolution

The complaint was resolved when the newspaper published the following clarification: *"In an article on April 8 (Former customs officers face jail for illegal heroin operation) we said that former Director General Law Enforcement for Customs & Excise, Terry Byrne, had said in evidence at Sheffield Crown Court that it was "quite normal for large samples of heroin to be allowed to go on the streets". Having read the transcripts, we acknowledge that Mr Byrne did not say any such thing. He made clear to the court that, while he could envisage circumstances where it would be in the public interest to allow large samples of drugs to be lost, such instances would be rare and had to be justified on a case-by-case basis. He also told the court that he had no personal experience of such cases. We apologise to Mr Byrne for any distress or embarrassment caused."* (CI 1)

## The Guardian Complaint

Mr Arber Koci, Chairman of the LSE Students Union Albanian Society, complained that an article on the Balkans contained inaccuracies.

## Resolution

The complaint was resolved when the newspaper published a lengthy item in its Response column in which he outlined his view on the original article. (CI 1)

## The Guardian Series

### Complaint

Mrs Mindy Gibbons-Klein of London complained that a review of *The Snowman* had inaccurately contended that her son Bradley had played The Boy in the performance attended by the reviewer. This was of particular concern in light of the unflattering nature of the review. Moreover, the text beneath the photograph had inaccurately stated that the boy pictured was Bradley.

### Resolution

The complaint was resolved when the newspaper removed the article from its website and sent a personal letter of apology to Bradley and Mr and Mrs Gibbons-Klein, making clear that Bradley had been wrongly identified in the article. (CI 1)

## Hamilton Advertiser

### Complaint

A man complained that two articles reporting on the death of his brother had contained intrusive detail and caused the family more pain in an already difficult time. Moreover, the second article had included photographs of the distraught family leaving the church after the funeral.

### Resolution

The complaint was resolved when the newspaper sent a private letter of apology to the complainant, indicating that the complainant's thoughts would be taken into account when reporting on similar tragedies in the future. (CI 5)

## Hastings & St Leonards Observer

### Complaint

Mr P Ashley of Hastings complained that an article had inaccurately contended that his court case had been adjourned to determine the ownership of a fence he had

been accused of damaging. It had also misrepresented his age.

### Resolution

The complaint was resolved when the newspaper published a follow up story, making clear that the complainant had been accused of damaging a fence – an accusation which he had denied – and that the charge had been withdrawn by the Crown Prosecution Service. The article also made clear that the complainant had been 62 at the time of the alleged offence. (CI 1)

## Heat Magazine

### Complaint

Ms Jacqueline Gabbard of West Sussex complained that an article which reported that the actor Vince Vaughn had invited his parents to come on his film set had misleadingly used a photograph of her grandparents to illustrate how the scene might have looked. The complainant contacted the magazine which said that the photograph had been released by an agency and supplied the consent form. However, the complainant believed her complaint still stood as the model release form was signed only by her grandmother and permitted its use only to represent an imaginary person.

### Resolution

The complaint was resolved when the magazine published the following apology: *"Vince's parents' pic*

*In our 1-7 July edition we published a picture of Jennifer Aniston clearly superimposed on a picture of an elderly couple, a Mr & Mrs Woollard (both deceased) as a jokey reference to Vince Vaughn's parents attending the shooting of a scene in the Break Up when Jen was filmed in the nude. Mr & Mrs Woollard posed as models for their picture in 1982. We wish to make it clear that Mr & Mrs Woollard were not Vince's parents and are sorry for any distress the pictures may have caused members of the Woollard family". (CI 1)*

## Hello!

### Complaint

Sir Mick Jagger complained, through Smyth Barkham solicitors, that the magazine had clearly identified the exact location of his new property in West



London, including its house number and the name on its blue plaque.

## Resolution

The complaint was resolved when the magazine, which accepted that the publication of the address was a mistake, apologised and made a donation to a charity of the complainant's choice. (CI 3)

## Herald Express

### Complaint

Mrs Carol Dickinson of Devon complained that the newspaper had published a photograph – without her consent – of her grieving at the scene of the accident where her sister had been killed in an incident with a train.

### Resolution

The newspaper first apologised to the complainant for exacerbating her distress following such a tragic accident. The editor sought to explain that the photograph came to be published because of a misunderstanding and accepted that in doing so the newspaper had breached Clause 5 (Intrusion into grief or shock) of the Code. The complainant appreciated the newspaper's admission but declined its offer to publish an apology as she felt that this would exacerbate the situation further. The complaint was resolved when the newspaper wrote privately to the complainant to apologise and emphasise that she had in no way courted the publicity and had not welcomed it. The newspaper also made a donation to the complainant's charities. (CI 5)

## Herald & Post

### Complaint

Mrs Ahmed of Luton complained that an article reporting on the ordeal suffered by her husband was misleading and contained inaccuracies. She was particularly concerned over the headline, which – in her view – was inappropriate and had ridiculed her husband's ordeal.

### Resolution

The complaint was resolved when the newspaper sent a personal letter of apology to the complainant and her

husband and published the following letter: *"On March 30 you published a front page report headlined "A Barrel of Laughs" reporting that a taxi driver had been held at gunpoint. My husband, who was the taxi driver involved, and I felt that the headline was inappropriately worded, and could be misinterpreted. The article caused a great deal of upset to me and my family, and did not show enough empathy over what was a terrifying ordeal for my husband. However, I am pleased that the editor has since apologised personally to me and my husband for the distress caused by the article. The editor added the following note: We considered the incident serious enough to put on the front page, but on reflection the headline could have been misinterpreted and we apologise for any unintended distress caused". (CI 1)*

## Huddersfield Daily Examiner

### Complaint

Mrs Noreen Logan of the Huddersfield & District Pensioners Organisation complained that the claim in the headline that she had voted yes to health plans at the Huddersfield Public and Patient Involvement Forum was inaccurate, given that no vote on the matter had been taken.

### Resolution

The complaint was resolved when the newspaper published a clarification making clear that no vote on the matter had been taken at Huddersfield Public & Patient Forum. (CI 1)

## Huddersfield Daily Examiner

### Complaint

Mr Bob Vant of Holmfirth complained that Mr Phillip Davies' claim in an article that a Somerset museum removed BC labels from exhibits for fear of causing offence was inaccurate.

### Resolution

The newspaper published a letter from the complainant making clear that Mr Davies had not checked his story and that the Cheddar Gorge museum denied the claim. (CI 1 & 2)

# Hull Daily Mail

## Complaint

Mr Benedict Mackay of Southsea complained that an article which reported on allegations of sexual abuse against staff at a care home between 1960 and 1990 was misleading. The article stated that he had been cleared of various offences and that a witness who was due to give evidence against him was found dead in his cell in prison. The complainant made the following points clear: he and the man in prison were unknown to each other; it was untrue that the man was going to bring evidence against him; the CPS said in court that the suicide note the man had left did not link his death with the trial; and he did not commit suicide on the day the trial was due to begin. The complainant said it was misleading of the article to suggest that his acquittal was linked to the fact that the dead witness was unable to give evidence.

## Resolution

The complaint was resolved when the newspaper published the following apology to the complainant: *"Further to an article published on 02 August headlined "Church faces 140 sex abuse claims" in which we reported Benedict Mackay's acquittal, we would like to make the following points clear: Mr Mackay did not know the witness who committed suicide in his cell; that man was not going to give evidence against Mr Mackay; and his death occurred two days before the trial. We apologise for any misunderstanding and distress that that may have been caused to Mr Mackay and his family". (CI 1)*

# The Independent

## Complaint

The Very Reverend John Davies of Brecon Cathedral complained that an article had inaccurately claimed that Suzy Straw's performance of a sacred dance in Brecon Cathedral had provoked controversy and led to the Cathedral authorities being bombarded with complaints. In fact, while concerns about the presentation had been expressed, the complainant contended that no worshippers from the Cathedral congregation had expressed concern or opinion. The complainant claimed that he had been contacted by three individuals, and contended that this did not amount to a bombardment, as the article had indicated.

## Resolution

The complaint was resolved when the newspaper annotated its internal archives with the complainant's objections to the article. (CI 1)

# Journal

## Complaint

Mr Tom Brennan, Regional Secretary of the GMB Northern Region, complained that an article inaccurately reported the details of an Employment Tribunal which had been brought against the Union.

## Resolution

The complaint was resolved when the newspaper published the following correction: *"In a report of 23 June 2006, regarding the successful claim for unfair dismissal brought by Jane Brown against GMB Union, it implied that Mrs Brown won her claim because she had been bullied out of her job by Tom Brennan. In fact the Tribunal states that they were not asked to make a judgement on the reasonableness or otherwise of Mr Brennan's decision to take from Mrs Brown her political duties.*

*The tribunal also decided that in any event Mr Brennan's conduct was not the reason for the resignation. She succeeded because the GMB failed to progress her grievance, not because she had been bullied. We are happy to make the position clear and have apologised to Mr Brennan for the errors contained in the report". (CI 1)*

# Kent Messenger

## Complaint

Mrs G M Hemming of Borough Green in Kent complained that an article inaccurately described Roman Court, the block of retirement flats in which she was resident, as an 'elderly people's home'.

## Resolution

The complaint was resolved when the newspaper published a correction and apology on the point. (CI 1)

## Kilmarnock Standard

### Complaint

Mr Ian McGarry of Troon complained that an article which reported his conviction for 'Attempting to Procure the Commission of a Homosexual Act in a Place other than Private' contained inaccuracies. He made the following points: that he had not admitted to meeting up with the intention of having sex as this would have resulted in a conviction for 'procuring' rather than 'attempting to procure'; his employer did not send a letter suggesting that his job was in a precarious position; the headlines implied that he was found in the act of sex when he was not; and the phrase 'in a state of undress' was not used in court.

### Resolution

The newspaper stood by its report making clear that the reporter's notes supported that the fiscal had said the following phrases in court: 'state of undress'; and 'they were quite frank as to why they had met up in the toilets'. The notes also showed that the complainant's solicitor had shown the sheriff a letter from the complainant's employer indicating that his job was in a precarious position. The newspaper offered to run a letter from the complainant to allow him to explain his interpretation of events. However, the complaint was resolved when the newspaper agreed to annotate its records with a note of the complainant's concerns so that anyone accessing the article would be aware that the article was the subject of a complaint, and the details of that complaint. (CI 1)

## Lancashire Evening Telegraph

### Complaint

Mr Roy Minson of Cornwall complained at the request of his daughter Ann Titley, that an article had reported the police's inaccurate claim that her husband, Mark Titley, was paranoid and a regular self-harmer.

### Resolution

The complaint was resolved when the newspaper published the following apology: "On 12 May 2005 an article appeared in the Lancashire Evening Telegraph which included a comment from a police spokesman that Mark Titley of Osborne Terrace, Stackstead was 'prone to self harm and was paranoid'.

Lancashire Constabulary would like to stress that there is no evidence to suggest that Mr Titley ever self harmed prior to his death on 10 May 2005. They would like to apologise to Mrs Titley and her family for any distress caused by their supply of incorrect information and for the insensitive release of information relating to a possible medical condition". (CI 1)

## Leamington Spa Courier

### Complaint

A woman complained that an article had inaccurately set out that her son was still in prison. She also contended that, despite a court order that he should not be identified in the press, the newspaper had included a blacked out silhouette of her son.

### Resolution

The complaint was resolved when newspaper apologised for the error regarding the issue of whether the complainant's son was still serving a sentence, and offered to publish a clarification. It also contended that the silhouette had been used for illustrative purposes, and was not taken from the complainant's son's file. The complainant accepted the apology and explained that she did not wish anything further to be published. (CI 1)

## Leicester Mercury

### Complaint

Mr and Mrs S M Lowe of Leicestershire complained that an article reporting that their son, Daniel, had been detained under a Mental Health Act hospital order inaccurately reported the details of his court hearing.

### Resolution

The newspaper published a correction making clear that Daniel was subject to a hospital order rather than 'jailed' as the headline of the article inaccurately stated. On the other points raised by the complainants, the newspaper obtained a copy of the court transcript which showed that the article did indeed contain an inaccuracy. To this end, the newspaper published the following correction: "We have been asked to point out that in our March 9 report on the sentencing of Daniel Lowe, 19, of Frobisher Close, Hinckley, we inaccurately quoted the comments of psychiatrist Dr Jane Radley. Dr Radley was asked about a restriction which means that Mr Lowe – who suffers from a form of autism – cannot be

discharged from hospital care without the approval of a Mental Health Tribunal. Dr Radley replied: "I'm not entirely convinced that that is absolutely essential." She did not say: "I think that is absolutely essential" as we incorrectly reported. We are happy to set the record straight and apologise for any distress this mistake caused". The complainants explained that Daniel suffered from Aspergers Syndrome, the symptoms of which were severe impairment in social interactions; difficulty with visual contact and facial expressions; difficulty in developing friendships; and a lack of emotional reciprocity. However, they made clear that Daniel was to receive the right care and therapy programme in hospital that would help him with his development. (CI 1)

## Leigh Times

### Complaint

Mr Mark Emmerson of Leigh-on-Sea complained that a letter he had sent to his local councillor had been published by the newspaper as a reader's letter to the editor without his consent. The complainant was also concerned that the final paragraph had been altered misleadingly.

### Resolution

The complaint was resolved when the newspaper – having explained the circumstances in which the letter was published – wrote a private letter of apology to the complainant and gave an assurance that it would take greater care in future to confirm that letters it received were for publication. (CI 1 & 3)

## Lewisham & Greenwich Mercury

### Complaint

Mr Patrick David Whelan of Greenwich complained that an article reporting on his daughter's death inaccurately suggested that he had 'shunned' her 'just before' her death. In fact, the complainant said that he had seen her a week before her death and, although he did not speak to her, he did not 'shun' her as he would never 'shun' any of his children.

### Resolution

The complaint was resolved when the editor of the newspaper wrote to the complainant privately and expressed her regret that the article had caused him further distress. (CI 1)

## London Student

### Complaint

Mr Nick Barnard complained on behalf of University College London's Student Union that an article had inaccurately claimed that Mike McLeod – the Union's General Manager – had broken the terms of a new pay deal by including it in plans to restructure UCL Union's shops and cafes. In fact, the complainant contended that Mr McLeod had not used the HERA pay framework at any point during the Union's restructuring.

### Resolution

The complaint was resolved when the magazine removed the article from its website. Although it stood by accuracy of the article, the magazine also offered to publish a statement by Mr McLeod setting out his position. (CI 1 & 2)

## Love It

### Complaint

Mrs Christine Ryder of Kent complained that points in a 'real life' story which described how she had hired a hit man to kill her required further clarification.

### Resolution

The complaint was resolved when the magazine agreed not to republish or syndicate the article. The magazine published a letter from the complainant which clarified the points under dispute. The wording for this read as follows: *I would like to clarify some points in the article about me entitled 'I hired a hit man to kill me!' (7-13 March): I suffer from OCD as well as depression, which I have had since I was a teenager; my daughter is 30, not 20, and I did not ring her and say 'I'm so angry he didn't kill me'; there was no time arranged for me to walk down the street, nor did I meet at the Church pictured to discuss the hit. As the article said, I no longer have a death wish but I still find living my life difficult. (CI 1)*

## Love It

### Complaint

A woman complained that the magazine had interviewed – and photographed – her daughter on a matter involving her welfare without parental consent in breach of Clause 6 (Children) of the Code.

## Resolution

The complaint was resolved privately between the two parties. (CI 6)

## Mail on Sunday

### Complaint

Mr Riaz Akhtar of Manchester complained that an article had made a number of inaccurate and misleading claims with reference to Sheikh Abu Yusuf and his followers.

## Resolution

The complaint was resolved when the newspaper published a letter from the complainant making clear that the murders referred to in the article had not taken place at the mosque, and that Sheikh Abu Yusuf had not been implicated. The letter also set out that the Sheikh was not based at Kidderminster, that he had a following among young, moderate Muslims and that the Deobandi movement was not extreme in its doctrine. (CI 1)

## Mail on Sunday

### Complaint

Captain Anna Cliff complained that an article written in the first person on her behalf contained a number of inaccuracies, exaggerations and embellishments with reference to the time that she had spent serving in Iraq. As a result, the article had made her seem incompetent and unprofessional. The complainant contended that the version of the article that had been read to her over the telephone by the reporter was not the one that appeared in the newspaper.

## Resolution

The complaint was resolved when the newspaper amended its records with the concerns the complainant had raised, and removed it from all external databases and websites. It also sent a personal letter of apology to the complainant. (CI 1)

## Mail on Sunday

### Complaint

Mr Christopher Cook from Michigan, USA, complained about the conduct of a reporter at the memorial evening

for Katherine Ward, who had recently committed suicide. In particular, he objected to the fact that the reporter had ignored a clear "No Media" sign and entered the room in which the event was taking place. He said that the reporter had failed to identify herself correctly, and therefore misrepresented her purpose in attending. The reporter denied failing to identify herself, and said she went into the room with the intention of asking if anyone wished to speak to her after the event. Ultimately, Mr Cook did not consider that the reporter's conduct showed appropriate sensitivity, given the nature of the event and the grief felt by those friends of Ms Ward who were present.

## Resolved

The complaint was resolved between the two parties, when the newspaper wrote a letter of apology to the complainant, which he could circulate to other friends of Ms Ward. The newspaper also made a donation to the Samaritans in Ms Ward's name. (CI 5 & 10)

## Mail on Sunday

### Complaint

The Very Reverend John Davies, Dean of Brecon Cathedral, complained that an article reporting that Suzy Straw had performed a Scared Dance at Brecon Cathedral had contained a number of inaccuracies.

## Resolution

The complaint was resolved when the newspaper published the following letter from the complainant: *I refer to your article about a presentation of Scared Dance at Brecon Cathedral. The headline referring to "the fury of local Christians" is mischievous. The allegation that I received and dismissed letters from parishioners is quite untrue. The very few complaints received and the tiny number of inquiries all came from individuals who do not attend Cathedral services.* (CI 1)

## Mail on Sunday

### Complaint

Mr David Mills of London complained that the newspaper was incorrect in its assertion that he and his wife had signed a 'mortgage application' on their house. In fact, his wife signed a charge over their jointly-owned house by way of a long stop guarantee to his bank of a loan to finance his borrowing. This was not a mortgage in the ordinary

sense of the term. The complainant also made clear that the charge was not necessary as a way of bringing money from an offshore fund into the UK; the money was paid into his current account like any other receipt and no 'mortgage' was necessary to facilitate that.

## Resolution

The complaint was resolved when the newspaper amended its records to reflect the points made by the complainant for future reference. (CI 1)

## Mail on Sunday Complaint

Mr Steven Patrick Morrissey, the singer, complained through Eversheds solicitors that the newspaper had inaccurately stated that "Morrissey has come out as gay". This was based upon the newspaper's interpretation of his song lyrics, and not any statement from Mr Morrissey to that effect.

## Resolution

The complaint was resolved when the newspaper published the following correction: *"On April 2, in a review of Morrissey's latest album Ringleader of the Tormentors, we said: "Morrissey has come out as gay." We wish to make clear that Morrissey has made no statement to that effect. Our comments were based on an interpretation of song lyrics on the album and not on any public statement from the singer".* (CI 1)

## Mail on Sunday Complaint

Mrs Rita Restorick of Nottingham complained about an article which contained a reference to the murder of her son, Lance Bombardier Stephen Restorick, in Northern Ireland in 1997. She raised the following points of concern: the article had spelt her son's name incorrectly as 'Steven' when his name was spelt 'Stephen'; the lady to whom her son had been speaking was not 'hounded out of her home' by local republicans but left because she found it upsetting to pass through the checkpoints which brought back the memory of the murder; that this lady did not have 'impeccable republican credentials'; that the person jailed for her son's murder was one of the sniper's accomplices and was released after 16 months rather than 18 months; and the man he named as Stephen's killer was not

'convicted and jailed' for the crime as there was no forensic evidence to support the claim. The complainant wrote to the newspaper asking it to publish a correction these points.

## Resolution

The newspaper published an edited form of the complainant's letter addressing her concerns regarding the time served by the sniper's accomplice. The complainant felt that this exacerbated the situation as she did not expect an edited version of her letter to be published. The complaint was resolved after the newspaper, and journalist involved, sent the complainant private letters of apology. (CI 1)

## Mail on Sunday Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the Mail on Sunday describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

## Resolution

The matter was resolved when the newspaper noted the complainant's position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she "claimed to have had an affair with Mr Prescott" are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor's office or elsewhere. (CI 1)

## Mail on Sunday Complaint

Mr Robert Sharpe, Chief Executive of Portman Building Society, complained that a profile on him – based on an interview he had given to the newspaper – contained inaccuracies. The complainant also stated that the newspaper had originally given an assurance that his private life would not feature in the piece



and was therefore concerned that the resulting article, which did mention his private life, intruded into his privacy.

## Resolution

The complaint was resolved when the newspaper – which denied that it had given such an assurance and did not accept that it had breached Clause 3 (Privacy) – published the following correction and apology: *“On May 28, in an article on Robert Sharpe, chief executive of Portman Building Society, we incorrectly reported that there have been many more headlines about Mr Sharpe’s private life than about Portman’s commercial success since he has been at the society’s helm, for which we are happy to apologise”.* (CI 1, 3 & 10)

## Malvern Gazette & Ledbury Reporter

### Complaint

Wendy Hands of Worcestershire complained that an article incorrectly reported the projected cost of the Public Private Partnership Primary Care new building as £3.3 million rather than the correct figure of £5.2 million.

### Resolution

The complaint was resolved when the newspaper published the following correction: *“An article in the Malvern Gazette in June described “Upton’s new £3.3 million medical centre”. We have been asked to point out the total project cost will be about £5.2 million, which includes building work, equipment, all professional fees and the cost of roadworks. The £3.3 million figure only included building costs”.* (CI 1)

## Metro

### Complaint

The Pryer family complained that an article was likely to have misled readers into believing that the death of Colin Pryer in a caving accident could have been prevented had the police responded sooner to a 999 call from his girlfriend.

### Resolution

The newspaper published a statement making clear that that the inquest into the accident did not find that the

delayed police response was a factor in Colin Pryer’s death. (CI 1)

## Metro

### Complaint

Mr Maxwell Rumney, Director of Legal & Business Affairs at September Films, complained that an article on the television programme *It’s Now or Never*, which was produced by the company, contained inaccuracies and that no right to reply had been afforded.

### Resolution

The complaint was resolved when the newspaper published the following letter from the complainant: *“Your article of July 27 (“Was this the worst idea for a TV show ever?”) claimed that September Films – producers of the programme It’s Now or Never – procured the commission for the show from ITV during ‘boozy media executive lunches’. This is sheer fabrication. In fact, the show took over a year of development work and numerous sober meetings with ITV. In addition, the allegation that the show was ‘not... surprisingly... one of the biggest flops ever seen on TV... and was axed’ was entirely inaccurate. An audience peaking at 1.9million is hardly insignificant and the show and its format have sold throughout the world. In addition, ITV have announced that the show is to be rescheduled and are currently working with us on it. We have been attempting to correct these inaccuracies since the original article was published and you have now allowed us to make these points clear”.* (CI 1 & 2)

## Milton Keynes Citizen

### Complaint

Mrs Christine Robinson of Milton Keynes explained that her husband had died in a tragic accident involving the collapse of scaffolding. She complained that an article reporting that a new hotel would open in the place where the accident took place insensitively stated that ‘some good at least will emerge from the tragedy’. The complainant was further distressed when the newspaper published a follow-up apology which referred to her husband as ‘the dead man’ rather than ‘the deceased’.

The complainant said she did not mind the newspaper writing about her husband or his death but found the wording used in the article and the subsequent apology very upsetting. The editor of the newspaper stood by the



article but offered the complainant a full and unequivocal apology if the words had caused her family further upset.

## Resolution

The complaint was resolved when a statement of the complainant's concerns was published on the PCC website. (CI 5)

## Mortgage Strategy

### Complaint

Mr Folohan Adegoke of London complained that the magazine had misrepresented comments he had made after being approached on the street and asked to participate in a survey. The article had published his photograph – without his knowledge or permission – and had inaccurately set out that he had said that he would certainly lie to get a mortgage if he could get away with it. In fact, the complainant had indicated to the reporters that he did not know whether he would lie to obtain a mortgage as he had never applied for one. When pressed on whether he would were there no repercussions he replied that he might consider it, but that he would be cautious. The complainant explained that he had not been informed that his comments were to be published, or that his photograph was to be printed.

### Resolution

The editor contended that the reporters had made clear that they were researching an article for a magazine, and had asked whether they could take the complainant's details and photograph. The magazine accepted that the complainant made other comments, but contended that the complainant had also made those attributed to him. The complainant indicated that – although he did not agree with or accept the newspaper's stance – he wished for a summary of the position to be made available. (CI 1 & 3)

## New Nation

### Complaint

Mr Terry Fitzpatrick of London complained that an article inaccurately suggested that many historians believed the word 'race' was an acronym derived from the Royal African Company of England, which was granted the exclusive right to trade slaves in Africa under the reign of Charles II. The complainant said that the reporter had taken a genuine

seventeenth century trading company, the Royal African Company, and added 'of England' to its title in order to fit his theory concerning the origin of the word 'race'. The complainant felt that the newspaper was seeking, dishonestly, to blame all English people for the slave trade.

The magazine said that the journalist had researched the article at the National Archives in Kew and the National Maritime Museum, and the theory was presented not as fact, but as a possibility suggested by more than one historian. When the complainant requested the identities of those historians, the magazine said that it was unwilling to divulge such details.

### Resolution

The complainant agreed to resolve his complaint on the basis of a published statement of his concerns on the PCC website. (CI 1)

## News of the World

### Complaint

A man complained that an article had inaccurately claimed that he had abandoned his children. In fact, he explained that he had stayed at home to look after them when their mother had left them.

### Resolution

The complaint was resolved when the newspaper published the following clarification: *In our story of April 23 we reported that the father of Rachel Clarke, whose mother had been murdered, had walked out on his children. We are happy to make clear that this was not the case.* (CI 1)

## News of the World

### Complaint

A woman complained that an article had identified her as a patient receiving psychiatric treatment and included a photograph of her as a child.

### Resolution

The complaint was resolved when the newspaper wrote a private letter of apology to the complainant for its insensitive handling of the case. (CI 3)

## News of the World

### Complaint

A woman complained that an article had inaccurately claimed that her son had been suspended from his school following an attack on a fellow pupil and a teacher. She said that, although her son was not named, it would have been clear to those in the area that he was the subject of the article. The complainant accepted that her son had hit another pupil but emphasised this was to protect his sister from being bullied. The head teacher of the school provided written confirmation that the complainant's son was not involved in any attack on a teacher.

### Resolution

The complaint was resolved when the newspaper published the following clarification: *"In an item about Touch Primary School, Dumfermline, published on July 2, 2006, we reported that a pupil had attacked a fellow pupil and a teacher. We are happy to clarify that there was no assault on a teacher. The child's parents have asked us to point out that their son is not a 'thug' and he only hit the other pupil because his sister was being bullied."* (CI 1)

## News of the World

### Complaint

Mrs Sue Noble of Alfreton complained that she had been harassed by the newspaper on a personal matter.

### Resolution

The complaint was resolved following the newspaper's explanation of its position – which denied any form of harassment – and the complainant's satisfaction that there would be no further problems. (CI 4)

## News of the World

### Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the News of the World describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

## Resolution

The matter was resolved when the newspaper noted the complainant's position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she "claimed to have had an affair with Mr Prescott" are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor's office or elsewhere. (CI 1)

## News Shopper

### Complaint

A couple complained that a court report covering their sixteen year old son's hearing for planning and carrying out an attack on his family contained inaccuracies. They said that, contrary to the claims in the article, the court did not hear the following pieces of information: that their son was 'obsessed' with violent video games; and that he spent most of his spare time painting figurines which he used to map out his plan.

### Resolution

The complaint was resolved when the editor – who defended the points raised by the complainants – agreed to annotate the newspaper's records with their concerns. The editor said that this note would serve to alert the newsdesk before it published any future stories. (CI 1)

## News Shopper

### Complaint

Mr Nipul Desai, a licensee of Flux nightclub, complained that an article had inaccurately claimed that he and his partners Anne-Marie Randall, Iain Buchan and Wendy Prowse had been prosecuted for illegally promoting events.

### Resolution

The complaint was resolved when the newspaper published a clarification making clear that Bromley Council had provided the wrong information, and that it was four other individuals who had been prosecuted for illegal fly-posting. (CI 1)

## News Shopper

### Complaint

Mr Patrick David Whelan of Greenwich complained that an article reporting on his daughter's death suggested that he had seen her a few days before her death and had told the inquest that he could not bear to speak to her.

### Resolution

The newspaper stood by its report but the complainant agreed to resolve his complaint through the publication of a statement on the PCC website which made clear that he had seen his daughter a week before her death – rather than a few days – and, although he did not speak to her at this time, it was not that he could not 'bear' to speak to her. (CI 1)

## North Devon Journal

### Complaint

Mrs Deborah Burnside of Ilfacombe complained that a reader's letter had contained a number of inaccuracies with reference to an incident that took place on a dog walk. Specifically, the complainant was concerned that Mrs Mutton – the author of the letter – had not mentioned the fact that she had acted violently towards the dog – owned by the complainant's friend – and abusively towards the complainant and her friend.

### Resolution

The complaint was resolved when the newspaper published the complainant's letter which set out that Mrs Mutton had acted violently and abusively and that – as a result – the complainant had reported her to the RSPCA. (CI 1)

## North Wales Daily Post

### Complaint

Mrs Christine Jones of Flintshire complained on behalf of her sister Mrs A Morris about a front page article which reported on a car accident in which her son had died and her grandchildren were seriously injured. She said that the headline of the report inaccurately stated that she had forgiven the drunken driver of the vehicle which had caused the accident. In fact, she had said "no I do not blame her family we feel sorry for them but do blame the people that did not help her". She said she had not made

any comment about forgiving, or not blaming the driver herself.

### Resolution

The newspaper emphasised that it had the greatest sympathy with the complainant and her family. It sought to explain that its staff believed that they were accurately reflecting the complainant's comments but accepted that it was an incorrect interpretation and apologised for the error. The complaint was resolved when the complainant accepted the newspaper's apology, and its offer to publish a follow-up article near to the front of the newspaper with a link to the article on the front page. (CI 1 & 5)

## North West Evening Mail

### Complaint

Mrs Carol Pounder of Cumbria complained on behalf of her son, Wayne Pounder, that a photograph taken of him playing a slot machine at an amusement arcade was in breach of Clause 1 (Accuracy) and 3 (Privacy) of the Code. The caption to the photograph stated: "Out of control: Gambling brings many problems" and was used to illustrate a reader's letter which discussed a man from the area who had run up gambling debts of £30,000. The complainant said that readers would have been misled to believe Wayne was the man described in the reader's letter. She also said that the photograph was taken without his knowledge or consent in a place where he had a reasonable expectation of privacy.

### Resolution

The complaint was resolved when the newspaper published the following apology to the complainant: "On March 3, 2006, we published a photograph of Mr Wayne Pounder on our letters page to illustrate a reader's letter about problem gambling. We would like to make clear that Mr Pounder was in no way connected to the information in the reader's letter. We would like to apologise to him for any misunderstanding or distress that was caused by the publication of the photograph". (CI 1 & 3)

## Northern Echo

### Complaint

Mrs Helen Hopper complained that an article reporting that her husband – a driving instructor – had been acquitted of a sexual assault charge against

one of his students was misleading. She said that the article had failed to include the following information about the claimant: that she had accused her previous driving instructor of inappropriate behaviour; that she had telephoned this previous driving instructor minutes before making her complaint about Mr Hopper to the police; and that she had self-harmed five days before making the complaint. She also said that the article had misconstrued the references to his flirty language in text messages as they were intended to reflect his open and jokey manner with his customers.

## Resolution

The newspaper said that it could not include every detail given in court and considered its coverage to be fair and accurate. However, the complaint was resolved when the newspaper offered the complainant's husband the opportunity to contribute to a follow-up article on the perils of being a driving instructor. The newspaper said that such a feature would be another way of underlining his innocence. (CI 1)

## Northern Echo

### Complaint

Mr Jamie Mash of North Yorkshire complained that the newspaper had referred to "more than 3000 convicted hooligans" being banned from travelling to Germany, which inaccurately implied that everyone subject to a football banning order had been convicted of a criminal offence. Banning orders are imposed under Section 14a or Section 14b of the Football Disorder Act 2000; bans under Section 14b are without conviction.

## Resolution

The complaint was resolved when the newspaper published the following clarification: "*We have been asked to point out that not everyone who was made the subject of a banning order has a conviction for football-related disorder*". (CI 1)

## Northwich Guardian

### Complaint

A woman from Cheshire complained that an article inaccurately claimed that she had been escorted from her

school by Cheshire Police and a Cheshire County Council child protection unit, following her suspension as a teacher. In fact, she was driven home by a member of staff.

## Resolution

The complaint was resolved when the newspaper published a correction and apology. (CI 1)

## The Oldie

### Complaint

Ms Katherine Russell Tait, the daughter of Bertrand Russell, complained that a reader's letter had contained an inaccurate and apparently unchecked anecdote about her behaviour as a school-child.

## Resolution

The complaint was resolved when the magazine published the following correction: "*Further to a reader's letter on the subject of Bertrand Russell, we have been asked by Katharine Russell Tait to make clear her absolute denial that – as a young girl – she leant out of a window, spat at a new teacher at the school and shouted 'there is no God'.*" (CI 1)

## Paisley Daily Press

### Complaint

Mr George Dickson of Paisley complained that a series of articles had misrepresented Elderslie Care Home and its staff. He explained that his wife was a resident of the care home, and that – contrary to the articles – the staff were excellent, the menus were varied, and the hygiene standards were high.

## Resolution

The complaint was resolved when the editor of the newspaper visited Elderslie Care Home and spoke to its staff and the complainant. The editor's impression was that the home was clean, modern and professionally staffed, and was enjoyed by residents and their families. He indicated that he had encouraged the manager of the home to continue to send information about events at the home in the future. (CI 1)

## The People

### Complaint

Ms Nicola Hull of Cambridge complained that an article, which claimed she was earning money by working as a receptionist for a prostitute while at the same time claiming incapacity benefit, was inaccurate. She made clear that she had not earned money by working as a receptionist for a prostitute and was not, therefore, committing benefit fraud. She also said the article was wrong to say that she only went to the doctor's twice a year – in fact, her health necessitated more frequent visits.

### Resolution

The matter was resolved when the newspaper agreed to put a note on the article in its archive files making clear that the complainant had challenged the piece and that it could not be relied on as demonstrating that she had earned money by working as a receptionist for a brothel. (CI 1)

## The People

### Complaint

Mr Forward Maisokwadzo, Co-ordinator of the Exiled Journalists Network, complained that an article which referred interchangeably to "asylum seekers", "illegal immigrants" and "refugees" was inaccurate, misleading and in breach of the PCC Guidance Note on refugees and asylum seekers.

### Resolution

The complaint was resolved when the newspaper accepted that the article did not fully comply with the Guidance Note and circulated this together with a copy of the complaint to all members of its staff. Its database library was also marked to reflect the complainant's concerns and the following correction was published: *"An asylum seeker is someone currently seeking refugee status or humanitarian protection. A refugee is someone who has fled their country in fear of their life and may have been granted asylum. An asylum seeker can only become an illegal immigrant if he or she remains in the UK after having failed to respond to a removal notice".* (CI 1 & 12)

## Perthshire Advertiser

### Complaint

Mr John Lewis of Auchterarder complained that an article had inaccurately claimed that his partner had set up the website *businessperthshire.com* and that she owned the company Sundial Creative.

### Resolution

The complaint was resolved when the newspaper published a clarification containing the complainant's denial with the following wording: *"Further to articles published on the 04 October 2004 and 24 May 2006, John Lewis of Auchterarder has asked us to point out that his partner Jayne Shenstone is neither the owner of, or responsible for, Sundial Creative or the website businessperthshire.com. We should also point out that John Lewis does own Sundial Creative but not businessperthshire.com".* (CI 1)

## Practical Caravan

### Complaint

Michael Kimmens of Essex complained that the magazine published his home address and telephone number claiming inaccurately that it was a caravan breakers' yard.

### Resolution

The newspaper accepted that it had made an error in publishing the complainant's details. The complaint was resolved when the magazine published a correction on the point although the complainant was disappointed to note that this took place in a later edition than he was originally promised. (CI 1)

## Press & Journal (Aberdeen)

### Complaint

A man complained that an article had inaccurately claimed that his partner had set up the website *businessperthshire.com* and that she owned the company Sundial Creative. The complainant explained that the inaccuracy had caused a considerable amount of distress to his partner.

## Resolution

The complaint was resolved when the newspaper published a correction making clear that the complainant's partner had not set up businessperthshire.com and that she did not own Sundial Creative. The correction emphasised that the complainant's partner had no legal involvement in either enterprise, and apologised for the error. (CI 1)

## Press & Journal (Aberdeen)

### Complaint

Ms Belinda Cunnison of Edinburgh complained that an article had reported the inaccurate comments of the British Heart Foundation, with reference to the risk for non-smokers working in smoky environments.

### Resolution

The complaint was resolved when the newspaper published the following letter from the complainant: *"Earlier this year the following appeared on the British Heart Foundation website, and the online version of the Press and Journal, thisisnorthscotland: "We know that regular exposure to second-hand smoke increases the chances of developing heart disease by around 25%. "This means that, for every four non-smokers who work in a smoky environment like a pub, one of them will suffer disability and premature death from a heart condition because of second-hand smoke."*

*This is incorrect, since it confuses relative risk with absolute risk, and very much exaggerates the dangers that non-smoking bar staff are likely to suffer as a result of exposure to tobacco smoke. Were it not for the vigilance of a few members of the public this astonishing distortion of the truth might still be in the public domain.*

*Following representations from members of The Big Debate, Freedom to Choose and Boston physician Professor Michael Siegel, amongst others, the press statement was retracted from the website and taken offline. The BHF retracted the press release but felt there was no need to draw the mistake more clearly to the public's attention." (CI 1)*

## Press & Journal (Aberdeen)

### Complaint

Mr David Murray, the Chairman of Glasgow Rangers Football Club, complained through Levy and McRae solicitors that the newspaper had published a photograph of his home accompanied by sufficient detail to identify its precise location.

### Resolution

The complaint was resolved when the newspaper gave an undertaking not to republish the photograph, unless there was a public interest reason for doing so (in which case it would contact the complainant in advance), and marked its records to reflect this. (CI 3)

## Richmond and Twickenham Times

### Complaint

Mr Marc Cranfield-Adams of Richmond upon Thames complained that another reader's letter was inaccurate when it made the following statements in specific reference to him: that his ethics were questionable; that they used to be friends; that he supported the author's charities; and that he was 'angry and embittered'. He further disputed the author's claim that a sex shop on Kew Road was 'out of sight'.

### Resolution

The complaint was resolved when the newspaper published a follow-up letter from the complainant addressing the points he had raised. (CI 1)

## The Saint

### Complaint

Mr Jamie Potton of St Andrews complained that an article suggested he had stolen a bottle of whiskey; that a debate had been stopped so that the bottle could be retrieved and; that his behaviour more generally was inappropriate.

### Resolution

The matter was resolved when the newspaper published a retraction of the inaccuracies in the article and a letter from the complainant. (CI 1)



## Scotsman

### Complaint

Mr David Murray, the Chairman of Glasgow Rangers Football Club, complained through Levy and McRae solicitors that the newspaper had published a photograph of his home accompanied by sufficient detail to identify its precise location.

### Resolution

The complaint was resolved when the newspaper – which accepted that the publication of the photograph with the article constituted a violation of the complainant's privacy – gave an undertaking not to republish the photograph or repeat the information from the story that identified his home. (CI 3)

## Scottish Daily Express

### Complaint

Councillor Richard Vassie of Paisley complained that an article which reported that he was suspended by the Standards Commission for his behaviour during a reception at Paisley Town Hall inaccurately claimed that he was drunk at the time.

### Resolution

The complaint was resolved when the newspaper published a correction to make clear that the Standards Commission hearing did not in fact establish that the complainant was drunk. (CI 1)

## Scottish Daily Mirror

### Complaint

Mr Terry May, Chairman of Edinburgh City Football Club, complained that an article was inaccurate when it stated that the club was seeking to oppose the smoking ban in Scotland at the Court of Session.

### Resolution

The complaint was resolved when the newspaper published the following correction: *'In our article "No to ban" of March 8 2006, we incorrectly stated (accompanied by a picture of their logo) that Edinburgh City Football Club were trying to oppose the smoking ban in Scotland at the*

*Court of Session. In fact, legal action is being taken by Edinburgh Football Club Limited, a social club, which is an entirely different organisation to the soccer club'. (CI 1)*

## Scottish Sun

### Complaint

Detective Superintendent Stephen Heath complained through R S Vaughan & Co Solicitors & Notaries of Glasgow that an article which reported that a convicted killer had admitted the murder of Ms Marion Ross – which was at the centre of the Shirley McKie fingerprints enquiry – contained inaccuracies.

### Resolution

The complaint was resolved when the newspaper amended its internal records to reflect the points raised by the complainant. (CI 1)

## Scottish Sun

### Complaint

Mr Neil Lennon, Captain of Celtic Football Club, complained through Levy & McRae Solicitors of Glasgow that an article in relation to his personal life was inaccurate. The complainant was also concerned that a photograph of his son – as well as private correspondence – had been published without consent.

### Resolution

The complaint was resolved when the newspaper sent a private letter of apology to the complainant in addition to publishing the following wording: *'On July 1 we published a picture of Neil Lennon's son which accidentally identified him for which we apologise. We also accept Mr Lennon made unconditional payments of £26,000 to Jeniffer Jonson during her pregnancy and any suggestion he refused to give her any money is inaccurate. We are happy to set the record straight'. (CI 1, 3 & 6)*

## Scottish Sun

### Complaint

Mr David Murray, the Chairman of Glasgow Rangers Football Club, complained that an article contained derogatory comments about him, which apparently had been given in an interview by the club's goalkeeper, but which in fact were invented.



## Resolution

The matter was resolved when the newspaper published a correction and apology which read: *"An article on 7 April, about Glasgow Rangers' Chairman David Murray 'Punters' money is all that interests Murray', stated that goal keeper Ronald Waterreus had given an interview to a Dutch magazine attacking Mr Murray as being only interested in making money from punters and that the Club was "pure cold business" for him. Mr Murray was also described as "Greedy"*

*In fact, the Dutch magazine contained no such allegations against Mr Murray, whose name was not mentioned. Mr Waterreus expressed no views about David Murray nor was Mr Murray described as greedy or only interested in making money from punters. The quotes that appeared in the Sun in relation to Mr Murray did not appear in the Dutch magazine.*

*We published this story based on information supplied to us, which we believed to be an accurate translation of the article. We now accept the information was totally inaccurate and not a proper translation in the literal sense.*

*We are happy to set the record straight and apologise sincerely to Mr Murray for the embarrassment which we have caused him and all concerned."* (CI 1)

## The Sentinel

### Complaint

Miss Karen Le Doux of Staffordshire explained that the newspaper had reported an incident involving an assault on a teenage boy which had resulted in a warning for her son. Although her son was not named in the article, the complainant said that it was inaccurate in the following ways: the attack was not 'unprovoked'; the attack was not filmed; and her son was not part of a 'gang'.

### Resolution

The newspaper responded that it had clarified in a follow-up article that the police had found no evidence to support that the incident had been filmed. However, the complaint was resolved when the newspaper agreed to publish the following letter: *I write in response to an article 'Teenager is victim of happy slapping' that was published on 08 August. As father of the accused, I was disturbed by the original report of the incident that happened in Hanley Forest Park. Firstly I would like to make clear that I do not condone violence and have been left shocked and*

*disappointed by my son's involvement in such a incident. Such behaviour is no reflection of his character or upbringing; he immediately recognised he had handled the situation in an unacceptable manner. As a family, we would like to offer our sincere apologies to Marcus. However, I do want to make clear that there are two sides to every story: from our point of view, the incident was neither 'unprovoked,' nor part of a 'happy slapping' attack and our son is not in a gang. The police investigation found no evidence to support any allegations that the incident was filmed on mobile phones. Finally, I would be willing to sign the petition calling for CCTV cameras to be installed in the park. (CI 1)*

## The Sentinel

### Complaint

Ms Anna Taylor of Staffordshire complained that a comment piece, on a recent case in which two gay foster parents were found guilty of sexual abuse against minors, was offensive and homophobic and made an inaccurate connection between homosexuality and paedophilia.

### Resolution

The complaint was resolved when the newspaper published a letter from the complainant. (CI 1 & 12)

## Sheffield Star

### Complaint

Miss Nimao Bodleh of Sheffield complained on behalf of her brother, Abdullah, after a photograph appeared in the newspaper which showed him being searched by police at Doncaster train station as part of a crackdown on knife crime. The complainant said that 226 people were searched at the station on the afternoon in question and raised concerns that her brother's photograph had been chosen because he was a young, black male. She also raised concerns that the photograph would misleadingly link her brother in some way to the sixteen-year-old boy who was found with a knife.

### Resolution

The newspaper said the photograph was chosen for its shape: a young man with his arms spread was a perfect pose for a photograph going across a page. The editor also provided a copy of its sister paper which reported the same story using a photograph featuring a white youth.

The complaint was resolved when the newspaper wrote a letter of apology to the complainant's brother and published the following clarification: *Further to an article published on 21 June and headlined 'Rail passengers searched during police crackdown on knives', we have been asked to point out that the man shown being searched by police in the photograph was in no way connected to the 16 year old boy who was reported in the article to have been arrested.*" (CI 1)

## South London Press

### Complaint

A couple complained that a court report covering their sixteen year old son's hearing for planning and carrying out an attack on his family contained inaccuracies. They said that, contrary to the claims in the article, the court did not hear the following pieces of information: that their son was a 'fantasist; that he was 'obsessed' with video and fantasy games; that he was 'gifted' in school; that he asked them 'repeatedly' in the weeks leading up to the incident how he could become a millionaire; and that he believed if his family died he would benefit from their inheritance. The complainants also said that the court did not hear that their twelve year old son 'escaped' from the house; or that he was left 'severely disabled'.

### Resolution

The group editor defended the points raised by the complainants but agreed to annotate the newspaper's records with their concerns so that the journalist covering the sentencing would be aware of the details under complaint. The editor also made clear that she intended the sentencing report to be 'fair and accurate', taking into account the specific matters (any remarks regarding their son's character; any reference to the support of his loving family; any reference to mental health issues; the damage caused by emotive language; and the damage caused by violent or sexual details) to which the complainants had made reference. The editor said the newspaper's aim would be to report the matter in a manner that minimised distress to the family. (CI 1)

## South Wales Argus

### Complaint

Councillor Robert C Bright, Leader of Newport City Council, complained that an article on food hygiene in Gwent was misleading and inaccurate.

## Resolution

The complaint was resolved when the newspaper published the following correction and apology: *"In an article highlighting the results of hygiene inspections of kitchens in some Gwent schools, printed on Wednesday May 24, we inadvertently included a photograph of the new St Joseph's RC School in Newport. We also reported the findings of an inspection which we stated had taken place last year. In fact the inspection had occurred two years earlier in the now demolished former St Joseph's RC School. We accept that St Joseph's RC School should not have been included and would like to apologise to the staff of the school and Newport Catering and to parents, for any distress caused".* (CI 1)

## South Wales Argus

### Complaint

Mr Andrew Slocombe of Newport complained that a front page article reporting the claims made by his ex-wife were not clearly distinguished as the allegations which she had made in court.

### Resolution

The complaint was resolved when the newspaper published the following clarification: *"Mr A Slocombe. Further to a report published on July 19th 2006 headlined "£30,000 Theft: Mum Jailed" in which we reported the sentencing of Emma Slocombe, we would like to make clear that the headlines and text of the article reflected the claims that were made in court. We apologise for any misunderstanding in the way this story was reported".* (CI 1)

## South Wales Evening Post

### Complaint

Mrs Evelyn Isaac complained that an article which reported her previous conviction for animal cruelty, following an incident with her dogs whilst driving in her car, contained a number of inaccuracies. The complainant was especially concerned that the circumstances of the case – which related to the speed at which she was driving, the distance travelled, the way in which the dogs were attached to the car and the extent of their injuries – had been misrepresented.

## Resolution

The complaint was resolved when the newspaper amended its records to take account of the complainant's position. (CI 1)

## South Wales Evening Post Complaint

Mr Mark Melton complained on behalf of Ms Charlotte Church that an article was inaccurate in implying that the singer had refused to be drawn on rumours that she was pregnant. In fact, said the complainant, Ms Church had no idea what the journalist who spoke to her was talking about when he asked whether she had good news. In any case, she was not pregnant. The complainant also said it was intrusive to hint at such a thing.

## Resolution

The newspaper said its reporter had made clear to Ms Church that rumours of her being pregnant were circulating. Nonetheless, it pointed out that a follow-up piece had been run the following day in which Ms Church's spokesman made clear that the singer was not pregnant and in which her grandmother criticised those circulating the rumours. (CI 1 & 3)

## South Woodham and Maldon Weekly News Complaint

Dr John Cormack of Greenwood Surgery complained that an article had inaccurately claimed that in 2004 he had given the Maldon and South Chelmsford Primary Care Trust one month's notice to quit the surgery. In fact, Dr Cormack had repeatedly offered the PCT the opportunity to continue an NHS service at the surgery – and Dr Cormack at present runs an NHS practice from Greenwood Surgery.

## Resolution

The complaint was resolved when the newspaper published a front page apology, with a link to a letter from the complainant, in which he set out that his views on South Woodham Ferrers' new medical centre in more detail. (CI 1)

## Stockport Times West Complaint

A woman complained that an article reporting on the legal action she had launched against her husband's former employers had contained her full address. As a widow, she felt extremely vulnerable and was concerned that the article had informed neighbours of her business. Moreover, when she had contacted the newspaper to complain, she had been spoken to rudely.

## Resolution

The complaint was resolved when the newspaper sent a personal letter of apology to the complainant. The editor explained that she had been unable to identify the member of staff who had spoken to the complainant, but she had issued a memo to all editorial staff regarding the complaints process and dealing with calls. The editor also indicated that she would do her best to ensure that the newspaper did not publish further articles reporting on the complainant's legal action. (CI 3)

## Stroud News & Journal Complaint

Mrs Helen Backus of Gloucestershire complained that after she had negotiated with the newspaper for amendments to be made to a published article about her childhood, the original version remained accessible online.

## Resolution

The complaint was resolved when the editor sought to explain why the article was available on the website and enclosed an explanation from its systems administrator making clear that it could not happen again. The editor also telephoned the complainant to apologise personally. (CI 1)

## The Sun Complaint

A man from Hertfordshire complained that an article on the subject of an incident involving his son contained inaccuracies.

## Resolution

The complaint was resolved when the newspaper amended its records to reflect the points raised by the complainant. (CI 1)

## The Sun Complaint

A woman complained that an article on a high-profile court case had identified her as a patient receiving psychiatric treatment at Royal Edinburgh Hospital.

## Resolution

The complaint was resolved when the newspaper accepted that it should not have named the complainant and wrote a private letter of apology to her. It also amended its internal records and external databases to delete any reference to the complainant and her treatment. (CI 3)

## The Sun Complaint

A woman complained that the newspaper had sought to interview her at her home with regard to a high-profile court case involving her daughter despite a request from police not to approach her or her family.

## Resolution

The complaint was resolved when the newspaper – which stated that it was not aware of the police request at the time of the approach – sent a private letter to the complainant which apologised for any distress caused. (CI 4)

## The Sun Complaint

Ms Dawn Blake of Birmingham, a contestant on the television programme Big Brother, complained about articles in the newspaper which she considered to be inaccurate. She made the following points clear: that she did wash and shower in the Big Brother house; that she had asked to leave the house before she was evicted; and that although she had been allowed her inhalers, she was not allowed a change of clothes or toiletries.

## Resolution

The complaint was resolved when the newspaper published a letter from the complainant in which she addressed those points under complaint. (CI 1)

## The Sun Complaint

Mr Chris Denning, a prisoner at HMP Wandsworth, complained that an article had inaccurately suggested that he was sacked by the BBC for making an inappropriate joke.

## Resolution

The complaint was resolved when the newspaper agreed to amend its records to reflect that the complainant was not – in fact – sacked by Radio 1. (CI 1)

## The Sun Complaint

George Galloway MP complained that the newspaper had inaccurately reported that he was to attend an East London rally with radical Muslim cleric, Delwar Hossain Sayeedi. He made the following further points: no rally was planned; he was not invited to any rally; Mr Sayeedi was reported to be in Bangladesh at the time of the alleged rally; and no effort was made to contact his office prior to publication despite a press release being issued on the previous day refuting the story which first appeared in The Times newspaper.

## Resolution

The newspaper accepted that it had made a mistake and offered to publish an apology to the complainant. The complaint was resolved when the newspaper published the following apology: *“George Galloway MP. Contrary to our reports (Ban this beast and Kill Brits’ Hate Cleric let into UK, July 15), we would like to make clear the Respect MP George Galloway was not scheduled to attend a rally or any other event alongside Islamist cleric Delwar Hossain Sayeedi. We did not contact Mr Galloway before publication of this report. We are happy to correct the record and apologise to Mr Galloway for the error”.* (CI 1)

## The Sun Complaint

Mr Badr Jafar complained through Schillings solicitors that (1) information published regarding his home in an article intruded into his privacy; and (2) the article was inaccurate when it stated that he was a "prince" from "Dubai". The newspaper named Mr Jafar and published the area in which his property is situated together with a clear photograph of the property itself. Mr Jafar contended that this was a breach of his privacy pursuant to Clause 3 of the PCC Code and was also a security concern. The same article also incorrectly stated that Mr Jafar is a prince from Dubai, when in fact he is neither.

### Resolution

The complaint was resolved when the newspaper agreed to place a note correcting its internal records and gave an assurance as to future publication of the matters complained of. (CI 1 & 3)

## The Sun Complaint

Mr Jason Johnson, a postman for Royal Mail, complained through the Communication Workers Union that an article which focused on his disability intruded into his privacy and discriminated against him in breach of the Code.

### Resolution

The complaint was resolved when the newspaper published the following apology: *"On March 15 we published an article about a postman Jason Johnson who has difficulty reading numbers. We have been asked to point out, and accept, that Mr Johnson, of Blackheath, South East London, has no difficulties performing his job and we were wrong to highlight his disability. The Sun apologises to him for the distress our article caused"*. (CI 3 & 12)

## The Sun Complaint

Mr Richard Kidd of Hampshire complained that a comment piece in the newspaper inaccurately suggested that incapacity benefit was for life when, in fact, he had had his overturned in the last year. He also raised concerns about

the suggestion that depression and stress were excuses for the work shy.

### Resolution

The complaint was resolved when the newspaper published a letter from the complainant in which he addressed those points under dispute. (CI 1)

## The Sun Complaint

Mrs Sue Noble of Alfreton complained that she had been harassed by the newspaper on a personal matter.

### Resolution

The complaint was resolved following the newspaper's denial of the allegations and the complainant's assertion that there had been no further problems. (CI 4)

## The Sun Complaint

Mr Ian Perkin of Surrey complained that an article about his case for unfair dismissal against his employer was inaccurate.

### Resolution

The matter was resolved when the newspaper marked its records to reflect the complainant's concern on two points. It also published a letter which read: *"You reported my case for unfair dismissal against St George's Healthcare NHS Trust, South London (Brent Packing, October 17 2005) which I won, although without an award of damages. The article suggested my behaviour was like the TV character David Brent and I often refused to talk to my staff. In fact, the employment tribunal found that as a manager I could not be faulted and I engendered a sense of loyalty with staff"*. (CI 1)

## The Sun Complaint

Ben Redfern-Edwards of HMP Frankland complained that two articles which reported the circumstances of his conviction contained inaccuracies.

## Resolution

The complaint was resolved when the newspaper published the following correction: *“Ben Redfern-Edwards, found guilty on November 11, 2005 of killing Mrs Jacqueline Ross by attacking her with a brick, was sentenced to life imprisonment although the judge ruled there was no sexual motive for the killing”.* (CI 1)

## The Sun Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the Sun describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

## Resolution

The matter was resolved when the newspaper noted the complainant's position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she “claimed to have had an affair with Mr Prescott” are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor's office or elsewhere. (CI 1)

## The Sun Complaint

Ms Corrina Slow, of Brighton, complained that the headline ‘lesbo tot sacking’ – regarding an article that described her claim that she had been dismissed from a gay-friendly estate agents for being pregnant – constituted a pejorative reference to her sexuality, and unnecessarily linked the terms ‘lesbo’ and ‘tot’.

## Resolution

The complaint was resolved when the newspaper annotated its records to reflect the complainant's concerns. (CI 12)

## The Sun Complaint

The Duchess of York complained, through her Press Secretary Kate Waddington, that an article on the subject of Princess Eugenie's 16th birthday party was exaggerated and inaccurate.

## Resolution

The complaint was resolved when the newspaper published the following correction: *“Following our article on Princess Eugenie's birthday celebrations, we have been asked to point out the party was closely monitored by adults throughout and, while a small amount of mess was cleared away at the end of the evening, there was no damage to furniture, no revellers dived into bedrooms in search of drunken romps and to describe the house as being trashed was incorrect. We are happy to make this clear and regret any distress our report caused”.* (CI 1)

## Sunday Herald Complaint

Detective Superintendent Stephen Heath complained through R S Vaughan & Co Solicitors & Notaries of Glasgow that an article which reported the contents of a precognition statement he had given contained inaccuracies.

## Resolution

The complaint was resolved when the newspaper published the following clarification: *‘Our article of 26 February headlined “Murder case officers wanted McKie paid off” and “Gagged to end fingerprint row” stated that, as part of precognition papers compiled by Shirley McKie's solicitor for the impending legal case against the Scottish Executive, Detective Superintendent Stephen Heath wished for a “gagging order” to be placed on Ms McKie and that she should be offered “sufficient compensation” in order for the case to be dropped. Mr Heath has asked us to clarify the article by stating that he was never shown the alleged final precognition and he specifically denies making the comments in the manner they were quoted’.* (CI 1 & 2)



## Sunday Mail

### Complaint

Elizabeth Campbell of Edinburgh complained that an article which reported on her granddaughter's hospitalisation suggested that she was a sustained drug user. She also raised concerns that the article inaccurately suggested that the newspaper had spoken to her granddaughter's family.

### Resolution

The complaint was resolved when the newspaper published the following clarification: *In the Sunday Mail of July 09 we wrongly attributed a quote to the family of Elizabeth Campbell, which said they were concerned she had taken a bad batch of cocaine in Wester Hailes, Edinburgh. This was down to an editing error and should have been attributed to the family of Lee Curtis, who died after taking cocaine. We would like to apologise to Elizabeth's family for the error.*

*The family do not believe her illness was a result of cocaine abuse. Elizabeth denies the allegation. They say it was caused by a brain defect at birth and that there was medical evidence she had been badly beaten. (CI 1)*

## Sunday Mail

### Complaint

Mr Steven McKenzie of Fife complained that the newspaper – with which he had had problems for two years – had inaccurately reported his appearance in court, especially in its claim that he had fired his solicitor. He provided a letter from his solicitor to show that this was not the case.

### Resolution

The complaint was resolved when the newspaper amended its records to reflect the points under complaint. (CI 1)

## Sunday Mercury

### Complaint

Mr David Rickelsford complained that an article reporting that he had been banned from his own home had contained a number of inaccuracies with reference to his dispute with his neighbours. The complainant was particularly concerned that the article had reported matters

which had not been confirmed in court as fact. He also contended that the newspaper had intruded into his privacy.

### Resolution

The complaint was resolved when the newspaper undertook to interview the complainant at the conclusion of his current court case in order to put across his side of the story. (CI 1 & 3)

## Sunday Mirror

### Complaint

Ms Nuala O'Brien of the West London Mental Health NHS Trust complained that an article was inaccurate in that it claimed that Peter Sutcliffe had been 'lined up' for a move from Broadmoor Hospital to a medium-secure unit, following a meeting with his clinical team.

### Resolution

The newspaper said that the information for the story had been provided by a confidential source. However, in the light of the complainant's assurances it accepted that it had been wrongly informed by its source. It agreed to remove the article from its website and provide a warning on its electronic database that the piece had been subject to a complaint. (CI 1)

## Sunday Mirror

### Complaint

Mrs A R Rozenbergs of Barnstaple complained that the headline to a court report was inaccurate and misleading.

### Resolution

The complaint was resolved when the newspaper published the following clarification: *'Further to our article "Fined for fatal leap" (19 March), we would like to make clear that, while Mrs A Rozenbergs admitted an offence under the Health and Safety at Work Act and was fined £10,000, she was not fined for the death of Mr Trent nor for the leap which led to his death. The Judge stated that "Health and Safety breaches were not the cause of Mr Trent's suicide and, being discovered only as part of an investigation, were only incidental"'. (CI 1)*



## Sunday Mirror

### Complaint

Ms Sarah Bissett Scott of Hertfordshire complained that articles in several newspapers including the Sunday Mirror describing an alleged relationship between her and John Prescott were inaccurate in a large number of respects and used misleading terminology. She also said that some articles had misquoted her.

### Resolution

The matter was resolved when the newspaper noted the complainant's position as being: that there was no affair between her and Mr Prescott, that she was never his mistress, and she has neither taken nor been offered any advantage for herself, her professional or political standing nor for her business in this matter; and that reports that she "claimed to have had an affair with Mr Prescott" are untrue. The newspapers agreed to place a warning on their internal databases to the effect that a complaint to the PCC had been made and that details of the complaint could be found in the legal department, managing editor's office or elsewhere. (CI 1)

## Sunday Sport

### Complaint

Ms Tupele Dorgu, an actress in Coronation Street, complained that the newspaper had published an intrusive story on the subject of her previous relationship.

### Resolution

The complaint was resolved when the newspaper sent a letter of apology to the complainant and removed the article from its records to ensure that the details would not be republished. (CI 3)

## Sunday Times

### Complaint

Ms Jessica Bussert of London complained that an article which reported her claim of sex discrimination as part of an employment tribunal was inaccurate and discriminatory when it referred to her as a man throughout the story.

## Resolution

The complaint was resolved when the newspaper – which emphasised the inherent difficulties in reporting transgender issues and its intention not to confuse readers – apologised privately to the complainant. It also gave an undertaking to discuss the entire matter further with interested parties. (CI 1 & 12)

## Sunday Times

### Complaint

Mr Peter Ellis complained through Mishcon de Reya Solicitors that an article was inaccurate when it stated that Mr Mayank Patel founded the company Currencies Direct with a friend.

### Resolution

The complaint was resolved when the newspaper published the following correction: *"In the article How I Made It (Business, Jan 22) we said that Mayank Patel started the company Currencies Direct with a friend. In fact, the company was founded by Peter Ellis in 1995 and Mr Patel joined him a year later"*. (CI 1)

## Sunday Times

### Complaint

Ms Gill Green, a resident of the development at Jumeirah Islands in Dubai, complained that an article inaccurately reported – after reading the contents of an email she had sent to the contractor – that she had claimed 'third rate materials' had been used to build the luxury villas.

### Resolution

The complaint was resolved when the managing editor sought to explain that the newspaper believed it had permission to use the complainant's comments from her emails as they had been supplied by the resident's pressure group. However, the newspaper accepted that the complainant did not use the phrase 'third rate materials' and that her comments in fact referred to the workmanship across the development. The managing editor wrote to the complainant to this effect and also made clear that the newspaper regretted it had not spoken to her before using material from her emails. (CI 1 & 3)

## Sunday World

### Complaint

Stephen Hunter of the Ardoyne Working Men's Football Club complained that an article was inaccurate in suggesting that two named individuals (Sean Kelly and Eddie Copeland) had attended a football match involving the club, which had been played on the Shankhill Road.

### Resolution

The newspaper said it had a confidential source who had provided the information for the article. However, the matter was resolved when it published a statement making clear that nobody from the complainant's football club had been aware of Mr Kelly's or Mr Copeland's presence. (CI 1)

## Sussex Express

### Complaint

A woman from East Sussex complained that an article which reported that her son had killed a Koi carp at a popular tourist attraction was inaccurate and misleading.

### Resolution

The complaint was resolved when the newspaper published the following text: *"Our front-page article of April 21 reported that two children, one aged 13 and the other 14, illegally entered Paradise Park, Newhaven, and used golf clubs to kill a Koi carp. The 13-year-old, while accepting that he should not have gone into the park in the way he did, has denied using a golf club or taking any part in the killing of the fish. He also denies swearing or "mooning" at park staff in the past. The police subsequently decided to take no action against him over the death of the Koi carp. The Sussex Express is happy to clarify the position".* (CI 1)

## Take A Break

### Complaint

Mrs Diane Tribe complained on behalf of her husband Martyn with signed authorisation that a real life story which featured her brother-in-law contained inaccuracies.

### Resolution

The complaint was resolved when the magazine published the following text: *"Further to our story 'Rat in a Hat'*

*(1 June issue), the Tribe family, of West Molesey, Surrey, refute the claims made by Trevor Tribe to Ann Hutchins in the article. Trevor Tribe claimed he looked after his father, Ernie Tribe. The Tribe family state it was his brother Martyn Tribe who looked after Ernie daily and his brother Glynn visited regularly. On the day of Ernie Tribe's death, Trevor Tribe left the hospital after the rest of the family arrived. He did not turn off any life support machine and they were at the bedside and he was not. Martyn Tribe says he never called his brother a 'born liar'. We apologise for any upset caused".* (CI 1)

## Take a Break Magazine

### Complaint

Mrs Rita Evans of East Sussex complained that an article in the "Mums' army" – a pressure group fighting for tougher action against anti-social behaviour – section of the magazine published her telephone number without her consent and inaccurately suggested that she was 'terrified' of local jobs. The complainant said that, on the contrary, she had told the magazine that they did not frighten her.

### Resolution

The complaint was resolved when the magazine published a letter from the complainant in which she offered to reply to the emails of any other victims of job culture. (CI 1 & 3)

## Tenbury Wells Advertiser

### Complaint

Mr R J Thomas, Chairman of the Tenbury Tennis Club, complained that the newspaper had not clarified that Tenbury Town Council had withdrawn its claim that Tenbury Tennis Club was a bad debtor.

### Resolution

The complaint was resolved when the newspaper published a letter from the complainant making clear that – following legal action initiated by the Tennis Club – the Town Council had acknowledged that Tenbury Tennis Club had never been a bad debtor. (CI 1)

# Times Educational Supplement

## Complaint

Mr A A Ellis, Chair of Governors of the FitzWimarc School, complained that an article which reported that a former teacher had been awarded compensation following her retirement from the school contained inaccuracies.

## Resolution

The complaint was resolved when the newspaper published the following text: *'Our article headlined "Retired deputy head wins pension battle" (16 June) referred to compensation awarded to Jean Weeks following her retirement from the FitzWimarc School. We have been asked by Tony Ellis, Chair of Governors, to report the perspective of the School and its Governing Body, which he considers to have been omitted from the article. Mr Ellis has pointed out that no admission of liability was made by any of the parties and that the monies received by Mrs Weeks included her substantial legal costs. In addition, mediation was successful because no one party to the action was assured of 100% success at court. Finally, the comments regarding Mrs Weeks returning to the school in a "pastoral role" and being asked to leave "that minute" would have been vigorously contested in court had mediation been unsuccessful'.* (CI 1)

## The Times

### Complaint

George Galloway MP complained that the newspaper had inaccurately reported that he was due to attend a rally in a nearby park with hardline Islamist cleric, Delwar Hossain Sayeedi. The complainant made the following further points: no rally was planned; he was not invited to any rally; Mr Sayeedi was reported to be in Bangladesh at the time of the alleged rally; and no effort was made to contact his office and verify the story prior to the article's publication.

### Resolution

The newspaper accepted that it had made a mistake and the complaint was resolved when it published the following apology to the complainant: *George Galloway MP: Contrary to our report ("Islamist hardliner heads for Britain", July 14), the Respect MP George Galloway was not scheduled to appear at a rally with the hardline Islamist cleric Delwar Hossain Sayeedi on Saturday 15 July. This*

*claim was not put to Mr. Galloway prior to publication. We are happy to correct the record, and apologise to Mr. Galloway for the errors.* (CI 1)

## The Times

### Complaint

Mr Morien Jones of Dyfed complained that the newspaper had inaccurately reported – and published criticism of him on the basis – that he had filmed his neighbour sunbathing naked in her own garden. In fact, his neighbour was filmed – for the purposes of providing evidence for a prosecution – when she was walking naked on and around Mr Jones' property.

### Resolution

The complaint was resolved when the newspaper removed the relevant articles from the internet and published the following apology: *"In articles concerning a case at Cardigan of indecent exposure (News, May 25; Comment, May 26) we reported that Morien Jones told the magistrates that he had videotaped his neighbour, Lynett Burgess, sunbathing naked in her garden. In fact the film of a naked Miss Burgess was taken while she was on Mr Jones' property, walking along the shared drive and in front of his house. No film of Miss Burgess on her own property was taken. The footage was taken by a builder who had been recording renovations to Mr Jones' house. Mr Jones had called the police because he was concerned about the effect Miss Burgess' actions were having on his three young children. We apologise for the errors and for any misleading impression given of Mr Jones."* (CI 1)

## The Times

### Complaint

Mr Leslie Raphael of Kilmarnock complained that a panel comparing Zimbabwe with Rhodesia on the 26th anniversary of independence inaccurately stated that Rhodesia had been governed by white minority rule under Prime Minister Smith in 1980.

### Resolution

The complaint was resolved when the newspaper published a correction making clear that the government of Rhodesia had been changed by the Salisbury agreement of March 1978, and that Mr Smith retired as prime minister in June 1979. (CI 1)

## The Times

### Complaint

Mr Gary Waugh complained through his solicitors Knight Polson that an article contained a number of inaccuracies, the most significant of which was the claim that Ali Dahir had been forced by the complainant to take credit cards. In fact, the complainant contended that it had not been part of the Crown's case that he had been involved in the threats on Mr Dahir.

### Resolution

The complaint was resolved when the newspaper published the following statement: *"Our report (Jail for postman forced by gun gang to steal 100 credit cards, June 13) wrongly stated that Swindon Crown Court was told that the postman, Ali Dahir, was forced to take the credit cards by his co-defendant, Gary Waugh. In fact, the Crown's counsel accepted that it was not Gary Waugh who had threatened Mr Dahir". (CI 1)*

## Troon Times

### Complaint

Mr Ian McGarry of Troon complained that an article which reported his conviction for 'Attempting to Procure the Commission of a Homosexual Act in a Place other than Private' contained inaccuracies. He made the following points: the phrase 'soliciting gay sex' and 'public indecency' were inappropriate as this was not what the charge said; and the phrase 'state of partial undress' was not used in court.

### Resolution

The newspaper provided the reporter's short hand notes to substantiate that the phrase 'state of partial undress' was used in court. The complainant continued to dispute this point and was disappointed to learn that the court did not keep a transcript of proceedings. However, the complaint was resolved when the newspaper agreed to annotate its records with a note of the complainant's concerns so that anyone accessing the article would be aware that the article was the subject of a complaint, and the details of that complaint. (CI 1)

## Wales on Sunday

### Complaint

Mr Chad Noble, founder of the website UKIPHome, complained that an article had reported the inaccurate comments of Richard Suchorzewski. Contrary to Mr Suchorzewski's contentions, the complainant explained that UKIPHome was a fully independent site which sought to help UKIP grow as a party and had no affiliation with any leadership candidate.

### Resolution

The complaint was resolved when the newspaper published the following clarification: *An article in Wales on Sunday on August 13 headlined "Wrapped in a web of intrigue" reported comments by the UK Independence Party candidate, Richard Suchorzewski, about the website UKIPHome. UKIPHome's founder, Chad Noble, has asked us to point out that, contrary to Mr Suchorzewski's comments, the website is not linked to the Conservative Party in any way, and that Mr Noble has left the Conservatives. He also wishes us to clarify that the site is fully independent of any leadership candidate and was established as a forum for all UKIP members. Wales on Sunday is happy to do so. (CI 1)*

## Walton and Weybridge Guardian

### Complaint

Chris Denning, a prisoner at HMP Wandsworth, complained that an article had inaccurately suggested that he was sacked by the BBC for making an inappropriate joke. He also clarified that he did not meet Kirk McKintyre – who claimed to have been abused by the complainant and considered that the sentence he had received was unduly lenient – at the Walton Hop and no-one had been charged in relation to the allegations made against him by Mr McKintyre.

### Resolution

The complaint was resolved when the newspaper published the following correction: *"Denning not sacked: in our edition of February 16 we ran an article on the jailing of the former Radio One DJ Christopher Denning for four years for assaulting boys which stated that he had been sacked by the station after making an inappropriate joke about young boys. We are happy to clarify that he was not in fact sacked by Radio One". (CI 1)*

# Watford Observer

## Complaint

Mrs Julia Longhurst – mother to Ricky Longhurst – of High Wycombe complained that a number of articles published in the newspaper contained inaccuracies relating to her son’s convictions.

## Resolution

The complaint was resolved when the newspaper published the following apology to the complainant’s family:

*RICKY LONGHURST*

*Following court reports on the front page of the Watford Observer of April 7 and April 14 the newspaper would like to clarify a number of issues concerning Ricky Longhurst of Guinions Road, High Wycombe, one of the defendants in the trial.*

*Our reports stated Longhurst was a member of a gang called “The Trio”, and that the gang was responsible for an attack in Rickmansworth Park, Rickmansworth, on Thomas Bradley, in October 2004. In fact, Longhurst has never been charged in relation to this incident.*

*We also reported that two weeks later ‘the gang’ attacked a boy with a metal bar in Cassiobury Park. Ricky Longhurst was never charged or questioned in connection with this, and his family maintain he was not a member of any gang.*

*The report also stated that Longhurst was found guilty of assault on March 27th, when in fact he was found not guilty.*

*With regard to an attack on a group of men outside a pizza house, Longhurst was convicted of affray rather than assault as our report stated.*

*The original information, which contained these inaccuracies, was supplied by the police and published in good faith. The newspaper would like to apologise to the Longhurst family for any distress caused by these errors. (CI 1)*

# Western Daily Mail

## Complaint

Mr Gary Waugh complained through his solicitors Knight Polson that an article had contained a number of

inaccuracies in relation to his trial, the charges he was sentenced for, and his role in the credit card scam.

## Resolution

The complaint was resolved when the newspaper published the following clarification: *“We have been asked to point out by lawyers representing Gary Waugh, of Station Road, Gloucester, that his seven year sentence at Swindon Crown Court accurately reported in the Western Daily Press on June 13 consisted of five years drugs offences and two years for his part in a scam involving the theft of credit cards from Gloucester Royal Mail sorting office. We are happy to make it clear that the references to Waugh being the criminal mastermind who made £65,000 from the credit card scam were made by the police officer who investigated the case and that the Judge who sentenced him referred to him having made £25,000 from the credit cards.” (CI 1)*

# Western Morning News

## Complaint

Mr David Owen from Exmouth complained about an article – on the subject of David Cameron’s failure to achieve the withdrawal of Conservative MEPs from the European Peoples Party Group in the European Parliament – written by an activist for the UK Independence Party. He was concerned that the newspaper had failed to make clear the author’s political affiliations, referring to him as a “Westcountry writer”.

## Resolution

The complaint was resolved when the newspaper published a letter from the complainant. (CI 1)

# Worksop Guardian

## Complaint

Mr & Mrs P Wesley, Licensees of the Kilton Inn in Worksop, complained that an article was inaccurate when it stated that a man suffered stab wounds during an incident at the establishment.

## Resolution

The complaint was resolved when the newspaper published the following correction and apology in its next edition: *“The Guardian would like to make it*

clear that an incident in which a man was assaulted did not happen at the Kilton Inn pub as reported last week. The incident actually occurred on Garside Street on the evening of Wednesday 29th March. Two men were involved and a 20-year-old man received a cut to his face and was taken to Rotherham Hospital for treatment. A man has been arrested in connection with the incident. The Guardian would like to apologise for any confusion our report caused". (CI 1)

## York Evening Press

### Complaint

A woman complained that the newspaper had intruded into her privacy in its publication of her name in an article reporting that the sentence of her former neighbour – convicted of threatening to kill her – had been reduced. She was also concerned over the reference to her son.

### Resolution

The complaint was resolved when the newspaper undertook not to publish the complainant's name again in relation to this particular case. (CI 1)

## York Evening Press

### Complaint

Mr Richard Paul of York complained that an article reporting on a road rage incident had contained inaccuracies. The article had contended that the complainant had repeatedly punched Sean Kirby in the face and chest and that – as a result – Mr Kirby had required hospital treatment. This was not the case. Moreover, the article had inaccurately set out that the complainant had been convicted of assault by beating, when in fact it had been common assault.

## Resolution

The complaint was resolved when the newspaper published the following clarification: "In a recent article, we referred to a road rage attack by Richard Paul on Mr Sean Kirby. We have since discovered that although Richard Paul was convicted of common assault and criminal damage, Mr Kirby was not beaten repeatedly nor did he require hospital treatment as wrongly stated in our story. We regret any embarrassment this may have caused." The editor also sent a personal letter to the complainant. (CI 1)

## Yorkshire Post

### Complaint

Mr Benjamin Mack complained about an article which reported on the autobiography of actress Claire King and described a situation she had faced involving a blackmailer who was allegedly ordered by the police to keep away from her. The complainant said that, although he had not been named in the article, Ms King had previously alleged in the press that he was the 'blackmailer' so anyone reading the article could have put the information together to identify him. The complainant said that it had previously been accepted in another complaint to the Commission that Ms King had never had a harassment order out against him. He further made clear that he had never been charged or convicted of blackmail.

### Resolution

The newspaper included the relevant extract from Claire King's autobiography to support its position that it could not be responsible for the content of other publications. However, the complaint was resolved when the newspaper agreed to mark its records to reflect the complainant's concerns so that anyone accessing the article would be aware of the dispute. (CI 1)



## Sufficient **remedial action**

In some cases an editor takes or offers remedial action in response to a complaint (for example by publishing a correction), but the complainant does not accept that the action resolves the complaint. Set out below is a summary of complaints where the Commission decided that the editor's action, taken or proposed, was sufficient under the Code. The Clause of the Code of Practice to which each complaint refers is shown in brackets.

### **Complaint**

A woman complained that an article had misleadingly implied that her home had been raided for Class A drugs, when in fact it had been raided for Class C Drugs.

### **Action**

The newspaper published a correction and offered to publish an edited version of a letter from the complainant and a follow up story. *(CI 1 & 2)*

### **Complaint**

A man complained that an article had falsely attributed comments concerning the renovation of a parish church to him. A clarification on one point had not included his denial of the comments.

### **Action**

The newspaper offered to publish a clarification making clear that the complainant specifically denied making the comments attributed to him. *(CI 1)*

### **Complaint**

A politician complained that an article had inaccurately suggested that he had breached the ministerial code.

### **Action**

The newspaper offered to publish a clarification. *(CI 1)*

### **Complaint**

A man complained that an article had inaccurately stated that his bookshop had closed.

### **Action**

The newspaper published a clarification on the matter. *(CI 1)*

### **Complaint**

A man complained that an obscene comment on the newspaper's website had been inaccurately attributed to him.

### **Action**

The newspaper apologised and blocked the UIP address of the computer which had posted the comment. It explained that it was impossible to identify the culprit. *(CI 1)*

### **Complaint**

A man complained that two articles had inaccurately implied that he had made a threat to put a golf club out of business.

### **Action**

The newspaper offered to publish a letter setting out the complainant's views on the situation. *(CI 1)*

### **Complaint**

A woman complained that an article had inaccurately implied that the hygiene standards at a horse yard were not satisfactory.

### **Action**

The magazine published an edited version of a letter from the complainant. *(CI 1)*

### **Complaint**

A man and his mother complained that an article had contained a number of inaccuracies with reference to the GMC's investigation into a doctor's role in the death of a close relative.

### **Action**

The newspaper offered to publish a clarification on two points. *(CI 1)*

## Complaint

A woman complained that an article had inaccurately represented her role at a criminal trial, and that the newspaper had misleadingly portrayed her charity's website.

## Action

The newspaper offered to publish a letter from the complainant setting out her views on her charity. *(CI 1 & 2)*

## Complaint

A man complained that an article had inaccurately represented charges he had faced. He also raised concerns that he had been harassed by the newspaper.

## Action

The newspaper published a number of follow up articles and a correction making the correct charges clear. *(CI 1 & 4)*

## Complaint

A prisoner complained that an article reporting on the trial of a police officer had named him as an alleged informer, despite the fact that this allegation had never been put to him.

## Action

The newspaper offered to publish a clarification making clear that the complainant denied any involvement with the police officer. *(CI 1 & 3)*

## Complaint

A woman complained that an article had inaccurately contended that modern Pagans were devil worshippers.

## Action

The newspaper published a number of readers' letters on the matter. *(CI 1)*

## Complaint

A man complained that an article had inaccurately indicated that he had been personally responsible for suing OAPS, when in fact the organisation of which he was chairman had unanimously reached the decision.

## Action

The newspaper published a letter from the organisation making the position clear. *(CI 1)*

## Complaint

A man complained that an article had inaccurately claimed that another couple had founded an organic products' organisation which he had set up.

## Action

The newspaper offered to amend its internal records with the complainant's concerns. *(CI 1)*

## Complaint

A man complained that an article had inaccurately referred to a genetic condition as a "disorder", and that the newspaper had misleadingly reported on a lecture he had given on this issue.

## Action

The newspaper undertook not to use the word "disorder" in any future article on the issue. *(CI 1)*

## Complaint

A councillor complained that two articles had inaccurately claimed that a painting purchased by the Southampton City Art Gallery had been paid for by the tax payer.

## Action

The newspaper published a letter from the complainant explaining the full position. *(CI 1)*

## Complaint

A man complained that a book review of a woman's autobiography could have inaccurately identified him as a stalker, despite the fact that it had not referred to him by name.

## Action

The newspaper offered to publish a letter from the complainant and annotate its records with his concerns. *(CI 1)*

## Complaint

A man complained that a newspaper had changed the meaning of his letter by its editing.

## Action

The newspaper indicated a willingness to resolve the matter, including an offer to apologise to the complainant. *(CI 1)*

## Complaint

A man complained that an interview with his ex-wife contained a number of inaccuracies.

## Action

The newspaper offered to publish a letter from the complainant putting across his side of the story. (CI 1 & 2)

## Complaint

A woman complained that an article had inaccurately set out that she had pleaded guilty to a breach of the peace.

## Action

The newspaper published a correction. (CI 1)

## Complaint

A man complained that a leading article on the situation in the Middle East had contained inaccuracies.

## Action

The newspaper published a letter from the complainant. (CI 1)

## Complaint

A prisoner complained that an article which related to his crime contained inaccuracies.

## Action

The magazine offered to place the complainant's letter on its file for future reference. (CI 1)

## Complaint

A man complained that an article which reported the death of a family member contained inaccuracies and intruded into his family's grief.

## Action

The newspaper sent a private letter of apology to the complainant's family and offered to publish a correction and apology. (CI 1, 3 & 5)

## Complaint

A lawyer complained that two reports of her disciplinary tribunal were inaccurate and misleading. She also raised concerns under Clause 12 (Discrimination).

## Action

The newspapers offered to amend their records on two points of contention. (CI 1 & 12)

## Complaint

A man complained that an article on drought in Tanzania was inaccurate and misleading.

## Action

The newspaper offered to publish a letter from the complainant. (CI 1)

## Complaint

A man complained that an article on the dangers of asbestos in classrooms was inaccurate and misleading.

## Action

The newspaper published a letter from the complainant. (CI 1)

## Complaint

A football club complained that an article was inaccurate with regard to its pricing policy for matchday mascots.

## Action

The newspaper published a correction and apology, in addition to removing the article from its website. (CI 1)

## Complaint

A man complained that an article on his personal life contained an inaccuracy and that he had not been offered an opportunity to reply. In addition, the complainant considered that the article intruded into his privacy and that his partner had been harassed by reporters from the newspaper.

## Action

The newspaper offered to publish a correction for the inaccuracy. (CI 1, 2, 3 & 4)

## Complaint

A man complained that an article on homegrown terrorism in the UK – which was subsequently published on a separate magazine's website – contained inaccuracies and was discriminatory against Asian people.

## Action

The newspaper published a correction and apology on the matter, the wording of which was appended to the article online. The magazine also published a similar text online. (CI 1 & 12)

## Complaint

A political party press officer complained that an article which stated the party's policy on the selection of the England football team contained inaccuracies.

## Action

The newspaper offered to publish a letter from the complainant. (CI 1)

## Complaint

A woman complained that an article about estate agents in Scotland, in which she was named, contained inaccuracies.

## Action

The newspaper offered to publish a correction, in addition to removing the article from its website. (CI 1 & 2)

## Complaint

A man complained that an article which listed the candidates for the local elections had incorrectly stated the party he represented.

## Action

The newspaper offered to publish a correction and apology. (CI 1)

## Complaint

A man complained that a diary piece contained inaccurate and discriminatory claims about his social life.

## Action

The newspaper offered to publish a letter from the complainant. (CI 1 & 12)

## Complaint

A woman complained that a newspaper had published an inaccurate and intrusive account of her sick leave from work.

## Action

The newspaper offered to publish a correction. (CI 1 & 3)

## Complaint

The PR representative from a large company complained that a newspaper had published an inaccurate account of its annual results.

## Action

The newspaper published a clarification. (CI 1)

## Complaint

A representative of a political party complained that a newspaper had inaccurately referred to his criminal background.

## Action

The newspaper offered to publish a correction. (CI 1)

## Complaint

A couple complained that a newspaper inaccurately used the word 'caged' to describe their son's detention under the Mental Health Act.

## Action

The newspaper said it was unclear whether the complainant's son had been detained under the MHA at the time of his sentencing. It amended its records to reflect that he had subsequently been detained as such. (CI 1)

## Complaint

A man complained that a newspaper had inaccurately stated the reasons for his suspension and eventual dismissal from his employment as a train driver.

## Action

The newspaper offered the complainant the opportunity to have his side of the story published in a letter. (CI 1)

## Complaint

A couple complained that a newspaper inaccurately used the word 'caged' to describe their son's detention under the Mental Health Act.

## Action

The newspaper said it was unclear whether the complainant's son had been detained under the MHA at the time of his sentencing. It amended its records to reflect that he had subsequently been detained as such. (CI 1)

## Complaint

An organisation complained that a newspaper had inaccurately stated the number of Palestinian deaths caused by Israelis.

## Action

The newspaper published a letter from the complainant. (CI 1 & 12)

## Complaint

A man complained that an article about the anti-abortion group of which he was a member contained inaccuracies.

## Action

The newspaper annotated its records to reflect the complainant's position. (CI 1)

## Complaint

A man complained that an article reported that he would be displaying his classic car at a historic car show after he had requested that the information not be included for security reasons.

## Action

The newspaper offered to publish an apology to the complainant. (CI 1)

## Complaint

An organisation complained that the headline of an article inaccurately stated the cost of the local traffic lights which it provided.

## Action

The newspaper said the text of the article clarified the position but offered to publish a letter from the complainant. (CI 1)

## Complaint

A couple complained that a newspaper inaccurately used the word 'jailed' to describe their son's detention under the Mental Health Act.

## Action

The newspaper said it was unclear whether the complainant's son had been detained under the MHA at the time of his sentencing but offered to clarify the point in a subsequent edition of the newspaper. (CI 1)

## Complaint

A couple complained that the newspaper inaccurately used the word 'jailed' to describe their son's detention under the Mental Health Act.

## Action

The newspaper said it was unclear whether the complainant's son had been detained under the MHA at the time of his sentencing but offered to clarify the point in a subsequent edition of the newspaper. (CI 1)

## Complaint

A political activist complained that he had been quoted inaccurately and that the newspaper had intruded into his privacy by publishing the details of a private email he had sent to his boss.

## Action

The newspaper stood by its story but offered to publish a letter from the complainant. (CI 1 & 3)

## Complaint

A man complained that an article had reported the allegation he had shown his neighbour a picture of a dead child misleadingly. He also raised concerns that reporters had acted in an aggressive manner and that one had concealed himself behind a bunch of flowers to dupe him.

## Action

The newspaper denied the claims against its reporters but offered to publish a letter from the complainant so that he could make his position clear. (CI 1, 4 & 10)

## Complaint

A man complained that an article about the anti-abortion group of which he was a member contained inaccuracies.

## Action

The newspaper offered to publish a clarification to reflect the complainant's position. (CI 1)

## Complaint

A college complained about the manner in which a newspaper had reported the bullying allegations made by one pupil's mother.

## Action

The newspaper offered to publish a clarification and carry a letter from the complainant. (CI 1)

# Code of Practice

This is the newspaper and periodical industry's Code of Practice. It is framed and revised by the Editors' Code Committee made up of independent editors of national, regional and local newspapers and magazines. The Press Complaints Commission, which has a majority of lay members, is charged with enforcing the Code, using it to adjudicate complaints. It was ratified by the PCC on the 7 August 2006. Clauses marked\* are covered by exceptions relating to the public interest.

## The Code

**All members of the press have a duty to maintain the highest professional standards. This Code sets the benchmark for those ethical standards, protecting both the rights of the individual and the public's right to know. It is the cornerstone of the system of self-regulation to which the industry has made a binding commitment.**

**It is essential that an agreed code be honoured not only to the letter but in the full spirit. It should not be interpreted so narrowly as to compromise its commitment to respect the rights of the individual, nor so broadly that it constitutes an unnecessary interference with freedom of expression or**

**prevents publication in the public interest.**

**It is the responsibility of editors and publishers to implement the Code and they should take care to ensure it is observed rigorously by all editorial staff and external contributors, including non-journalists, in printed and online versions of publications.**

**Editors should co-operate swiftly with the PCC in the resolution of complaints. Any publication judged to have breached the Code must print the adjudication in full and with due prominence, including headline reference to the PCC.**

### 1 Accuracy

- i) The press must take care not to publish inaccurate, misleading or distorted information, including pictures.
- ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and - where appropriate - an apology published.
- iii) The press, whilst free to be partisan, must distinguish clearly between comment, conjecture and fact.
- iv) A publication must report fairly and accurately the outcome of an action for defamation to which it has been a party, unless an agreed settlement states otherwise, or an agreed statement is published.

### 2 Opportunity to reply

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

### 3 \* Privacy

- i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications. Editors will be expected to justify intrusions into any individual's private life without consent.
- ii) It is unacceptable to photograph individuals in a private place without their consent.

*Note - Private places are public or private property where there is a reasonable expectation of privacy*

### 4 \* 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 their property when asked to leave and must not follow them.
- 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.

### 5 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. This should not restrict the right to report legal proceedings, such as inquests.

\* ii) When reporting suicide, care should be taken to avoid excessive detail about the method used.

### 6 \*Children

- i) Young people should be free to complete their time at school without unnecessary intrusion.
- ii) A child 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.
- iii) Pupils must not be approached or photographed at school without the permission of the school authorities.
- iv) Minors must not be paid for material involving children's welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.
- v) Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

### 7 \* Children in sex cases

1. The press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences.
2. In any press report of a case involving a sexual offence against a child -
  - i) The child must not be identified.
  - ii) The adult may be identified.
  - iii) The word "incest" must not be used where a child victim might be identified.
  - iv) Care must be taken that nothing in the report implies the relationship between the accused and the child.

### 8 \* Hospitals

- i) Journalists must identify themselves and obtain permission from a responsible executive before entering non-public areas of hospitals or similar institutions to pursue enquiries.
- ii) The restrictions on intruding into privacy are particularly relevant to enquiries about individuals in hospitals or similar institutions.



## 9 \* Reporting of Crime

- i) Relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story.
- ii) Particular regard should be paid to the potentially vulnerable position of children who witness, or are victims of, crime. This should not restrict the right to report legal proceedings.

## 10 \* Clandestine devices and subterfuge

- i) The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorised removal of documents or photographs.
- ii) Engaging in misrepresentation or subterfuge can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

## 11 Victims of sexual assault

The press must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so.

## 12 Discrimination

- i) The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, gender, sexual orientation or to any physical or mental illness or disability.
- ii) Details of an individual's race, colour, religion, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

## 13 Financial journalism

- i) Even where the law does not prohibit it, journalists must not use for their own profit financial information they receive in advance of its general publication, nor should they pass such information to others.
- ii) They must not write about shares or securities in whose performance they know that they or their close families have a significant financial interest without disclosing the interest to the editor or financial editor.
- iii) They must not buy or sell, either directly or through nominees or agents, shares or securities about which they have written recently or about which they intend to write in the near future.

## 14 Confidential sources

Journalists have a moral obligation to protect confidential sources of information.

## 15 Witness payments in criminal trials

- i) No payment or offer of payment to a witness - or any person who may reasonably be expected to be called as a witness - should be made in any case once proceedings are

active as defined by the Contempt of Court Act 1981.

This prohibition lasts until the suspect has been freed unconditionally by police without charge or bail or the proceedings are otherwise discontinued; or has entered a guilty plea to the court; or, in the event of a not guilty plea, the court has announced its verdict.

\* ii) Where proceedings are not yet active but are likely and foreseeable, offer payment to any person who may reasonably be expected to be called as a witness, unless the information concerned ought demonstrably to be published in the public interest and there is an over-riding need to make or promise payment for this to be done; and all reasonable steps have been taken to ensure no financial dealings influence the evidence those witnesses give. In no circumstances should such payment be conditional on the outcome of a trial.

\* iii) Any payment or offer of payment made to a person later cited to give evidence in proceedings must be disclosed to the prosecution and defence. The witness must be advised of this requirement.

## 16 \* Payment to criminals

- i) Payment or offers of payment for stories, pictures or information, which seek to exploit a particular crime or to glorify or glamorise crime in general, must not be made directly or via agents to convicted or confessed criminals or to their associates – who may include family, friends and colleagues.
- ii) Editors invoking the public interest to justify payment or offers would need to demonstrate that there was good reason to believe the public interest would be served. If, despite payment, no public interest emerged, then the material should not be published.

## The Public Interest

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

1. The public interest includes, but is not confined to:
  - i) Detecting or exposing crime or serious impropriety.
  - ii) Protecting public health and safety.
  - iii) Preventing the public from being misled by an action or statement of an individual or organisation.
2. There is a public interest in freedom of expression itself.
3. Whenever the public interest is invoked, the PCC will require editors to demonstrate fully how the public interest was served.
4. The PCC will consider the extent to which material is already in the public domain, or will become so.
5. In cases involving children under 16, editors must demonstrate an exceptional public interest to override the normally paramount interest of the child.

# COMPLAINANTS' CHARTER

## Our service commitments to you

The PCC operates a Complainants' Charter which sets out the standards of service you can expect from us. There are eight key commitments we make to you.

1. **We will respond swiftly to your enquiries.** We aim to answer your telephone call within four rings during business hours. If you complain to us, we will acknowledge your letter within three working days of our receiving it.
2. **We will deal with your complaint as quickly as possible.** We aim to deal with complaints in an average of 35 working days. If your complaint is a complex one which is going to take longer, we will explain why. We will aim to keep you informed of the progress of your complaint at intervals of no longer than fifteen working days.
3. **We will work with you to try to resolve any complaint that raises a possible breach of the Code of Practice.**
4. **Our procedures are transparent:** the Commission will only consider material that has been seen by each party to a complaint.
5. **We will process your complaint at no cost to you.** The PCC costs nothing either to the taxpayer or to those who complain. We will continue to operate a service which is free of charge.
6. **We will be as accessible as possible.** Our literature is available in a range of languages to assist those whose first language is not English – and we will continue to widen the range of languages in which it is produced. We will maintain a Textphone to assist those who are deaf or have difficulty hearing – and make literature available on audio cassette for the visually impaired.
7. **We will be as open as possible.** Members of staff will be available throughout the process to assist those making a complaint. Once your complaint has been taken up, a named Complaints Officer will deal with your complaint throughout and act as a continuing point of contact for you. Members of staff will at all times identify themselves by name, and be courteous and polite.
8. **We will seek to improve standards year on year.** Every year we will publish statistics on the number of complaints received and resolved, and the average time it takes to deal with them. We will aim to make improvements in these standards each year. Once a year, an independent 'Charter Compliance Panel' will publish a report after auditing our standards of service, and make recommendations to the Commission about how they can be improved.

If you have any complaint about the manner in which your complaint was handled by the Commission, you should write, within one month of being told the outcome of your complaint to:

The Independent Charter Commissioner  
c/o Halton House  
20/23 Holborn  
London EC1N 2JD

The Charter Commissioner will investigate the matter and report any findings and recommendations to the Commission. He does not investigate complaints relating to the substance of a decision by the Commission. All submissions to the Charter Commissioner must be in writing.

## **Complaints by E-mail**

The PCC will accept complaints by e-mail to:

**complaints@pcc.org.uk**

After a complaint has been made by e-mail we will require a hard copy of the complaint and the article in question to be sent by post within seven days to:

***Press Complaints Commission***

***Halton House***

***20/23 Holborn***

***London EC1N 2JD***



## Have we got **your details** right?

It would be helpful to the Commission if you could let us know whether the details we have for you are correct. If the details contained on the label on your envelope are incorrect or out of date, we would be grateful if you could fill out our form below and return it to us:

**Old details taken from the label:** .....

.....  
.....

**Correct or updated details:** .....

.....  
.....

Please cut off this section and return it to us as soon as possible at the following address:

**Press Complaints Commission, Halton House, 20/23 Holborn, London EC1N 2JD.**

If we do not hear from you we will assume that our records are correct. Your co-operation is much appreciated.

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## Would you like to **receive information** from the Commission **by email**?

If it would be helpful to receive by e-mail news and press releases from the Commission on the day they are published, please fill out details of your e-mail address below:

**Name:** .....

**Organisation:** .....

.....

**E-mail address:** .....

Please cut off this section and return it to us at the following address:

**Press Complaints Commission, Halton House, 20/23 Holborn, London EC1N 2JD.**

or alternatively send us an e-mail to:

**pcc@pcc.org.uk**







**Press Complaints Commission**  
Halton House, 20/23 Holborn,  
London EC1N 2JD

**Telephone:** 020 7831 0022

**Fax:** 020 7831 0025

**Textphone:** 020 7831 0123

(for deaf or hard of hearing people)

**Helpline:** 0845 600 2757

**Scottish Helpline:** 0131 220 6652

**Welsh Helpline:** 029 2039 5570

**24 hour Press Office:** 07659 158536

**24 hour Advice Line:** 07699 152656

(leave a message and you will be phoned back)

*This is for use in emergency only*

**Email:** [complaints@pcc.org.uk](mailto:complaints@pcc.org.uk)

[www.pcc.org.uk](http://www.pcc.org.uk)