

MINUTES of the COMPLAINTS COMMITTEE MEETING
Wednesday 16 December at 10.30 a.m.
Gate House, 1 Farringdon Street, London EC4M 7LG

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

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

Also present: Members of the Executive:

Xavier Bastin
Ciaran Cronin
Niall Duffy
Alistair Henwood
Vikki Julian
Robyn Kelly
Holly Pick
Charlotte Urwin
Hugo Wallace

Observers: Jonathan Grun, Editors' Code of Practice Committee
Ruth Sawtell, IPSO Board

1. Apologies for Absence

An apology for absence was received from Matthew Lohn, due to a commitment abroad. Jill May gave notice of her intention to leave the meeting at 12.15.

2. Declarations of Interest

Lara Fielden declared an interest in Item 9(i) due to her social connection with some of those linked to this complaint. She would leave the meeting for this item.

3. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 18 November 2015 as a true and accurate record.

4. Update by the Chairman

The Chairman informed the Committee that a joint letter from IPSO and the Regulatory Funding Company, advising of the agreement reached between IPSO and the RFC as to the Rules changes and future funding, had now been sent to all members of the scheme. He praised the efforts of the IPSO staff responsible for the timely and efficient despatch of the letters.

He said he hoped that IPSO would be able to broadcast more publicly its existence and achievements in 2016, and that this would be attainable as soon as the Rules changes had been agreed.

He remarked on the unique achievement of the publishers' annual statements, which he considered to be an unprecedented accomplishment in the history of journalism, whereby newspapers were prepared to give an account of themselves, voluntarily and without resentment. This achievement indicated that the production of such statements was both good for the regulated and for enabling IPSO to establish the fact that it was truly an independent regulator.

He introduced and welcomed to the meeting the new Board member Ruth Sawtell, attending as an observer, noting her invaluable input at her recent first Board meeting, stemming from her previous experience of having worked for the regulatory industry. He also welcomed the recent appointment of Trevor Kavanagh, who he felt would also make a valuable and beneficial contribution to the Board.

5. Update by the Director of Operations

The Director of Operations welcomed the Committee's interest in visiting scheme members' newsrooms, and agreed to set up a programme of visits.

She noted the interest by Committee members in those complaints which were not considered further following an initial review by the Executive. It was suggested that following alternate Complaints Committee meetings, a small group of members remain to discuss and give feedback on a selection of such complaints, in order to facilitate an a full understanding of the process involved and the daily

work undertaken by the Complaints Executive. Committee members welcomed this suggestion.

6. Matters Arising

(i) Complaint 04689-15 Hardy v The Sunday Times

This complaint had been discussed at the previous meeting.

Further correspondence letter from the newspaper was tabled. The Committee discussed the complaint and ruled that it was upheld under Clause 1 (Accuracy).

See Ruling in **Appendix A**.

7. Complaint 05438-15 Burnett v Kent & Sussex Courier

The Committee ruled that the complaint should be upheld under Clause 1 (Accuracy) and that the remedial action required was publication of an adjudication. A copy of its ruling appears in **Appendix B**.

8. Complaints not adjudicated at a Complaints Committee Meeting

The Committee confirmed its formal approval of IPSO Papers listed in **Appendix C**. The approval of the relevant complaints was duly noted.

9. Any Other Business

Lara Fielden left the meeting for the following item.

(i) Complaint 08102-15 Levick v The Times

The Committee discussed the complaint and the complainant's request for the Committee to review the Executive's decision to reject the complaint. It agreed to reopen the complaint.

Lara Fielden rejoined the meeting.

Jill May left the meeting at 12.15

(ii) Discussion paper: anonymity in decisions

The Committee discussed the subject of granting anonymity in published decisions, when requested by complainants.

Following the experience encountered by the Executive where some complainants remained uncertain as to the application of the policy, it was felt that a review of the policy wording was required in order to provide clarity, certainty and reassurance from the outset.

A draft revised policy was set out and presented to the Committee, and agreed with amendments.

The proposed revised policy would be put before the Board for its approval at the next Board Meeting in February 2016.

10. Date of next meeting

The date of the next meeting was confirmed as Wednesday 27 January 2016 at 10.30 a.m.

The meeting ended at 12.30 p.m.

Elizabeth Bardin
Governance Manager
16 December 2015

APPENDIX A

Decision of the Complaints Committee 04689-15 Hardy v The Sunday Times

Summary of complaint

1. Mike Hardy complained to the Independent Press Standards Organisation that The Sunday Times breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "'Petrifying' advice given on pensions", published in print and online on 12 April 2015.
2. The article reported the findings of an undercover "mystery shopper" investigation into pension advice offered by firms following changes to pension rules. A journalist telephoned a number of financial advice firms posing as an unemployed client who was seeking to withdraw between £40,000 and £45,000 from a £100,000 pension fund; she wanted to know if the money could be withdrawn tax-free. Amongst those whose responses the article criticised were those of the complainant, the managing director of a company contacted by the journalist.
3. The article reported that the complainant "appeared to tell the reporter that there would be no tax implication if she withdrew 45% of her pension pot" whereas "in reality, most pensions allow people to withdraw only 25% of their fund tax-free, with the remainder being subject to income tax". The journalist said that the complainant had said, in answer to her question about whether she would be subject to income tax if she were to withdraw £40,000 to £45,000, that "if [she wasn't] taking any income, [she] wouldn't be subject to income tax. That wouldn't be relevant." It also said he told her that "provided [she was] entitled to tax-free cash, which [she] should be, 25% of the value of [her] pension, there wouldn't be any tax". It stated that the complainant had been "repeatedly told that the reporter's pot was £100,000"; £40,000-£45,000 would amount to 40%-45% of the total value of the pension, which was greater than the tax-free 25% the complainant had previously cited.
4. The article was also published in the same form online.
5. The newspaper provided a recording and transcript of the complainant's conversation with the journalist. In response to the journalist's wish to withdraw £40,000-45,000 from her pot of £100,000 the complainant said it "should be technically possible, but in order for us to do that there's a process that we have to go through which would set out how you could achieve [this]". He said that he would need her to provide him with authority to contact her pension provider so that he could put together a report about her scheme before being able to recommend a specific course of action. The complainant asked whether the journalist wanted to "take an income as well or [...] just [...] get the money"; the journalist confirmed that she only wanted to withdraw the money. The complainant informed her that "because of the new rules that have just come out" her pension

provider might say to her that “the only way [they] can help [her] is to give [her] all of [her] money back, 25% of it tax-free cash, and the remainder to be added to [her] income”.

6. The journalist asked for clarification on what it meant for money to be “added to [her] income”, and informed the complainant that she was not working, and had no income. The complainant said that she would get “£10,600 tax-free and the remainder would be taxed at ... yeah, you’d have a little bit of it that would go into the higher rate tax band”. The journalist asked the complainant what the implications would be if she took out the money immediately. The complainant told her that this would be covered in the report, and that “before we advised you to do anything, you would be fully aware of the implications of whatever it is that we’re advising you to do”.
7. After the journalist confirmed that she would like to engage the complainant’s services, she asked for further clarification on the complainant’s reference to “higher rate tax”; she said that she did not “want to take an income [and] just want[ed] to take some money out”. The complainant told her that “if you weren’t taking any income, you wouldn’t be subject to income tax. So, that wouldn’t be relevant”. The journalist then asked “if I’m just taking out £40,000-£45,000 from my pension this year, I won’t be subject to any income tax?” The complainant told her “provided you’re entitled to tax-free cash. Which you should be, 25% of it, of the value of your pension, then it would be, there wouldn’t be any tax to pay”. The journalist asked the complainant again: “so if I take out £40,000-£45,000 [...] I won’t have to pay any tax on that?” The complainant informed her that “I can’t commit to saying that definitely now because I haven’t contacted your pension scheme, but in principle that sounds right. Most pension schemes will provide up to 25% tax-free cash. Some pension schemes will provide more than that”.
8. The complainant also told the journalist that part of the investigative process would be to “establish how much tax-free cash you’re entitled to, but, er, most schemes it would be 25% of the value of the pension”. The journalist asked if “[the pension provider says] it’s 25% of the value of the pension, you think I can still take out £40,000-£45,000 tax-free, potentially?” The complainant answered: “yes, I’m talking in general terms here, again, because I haven’t contacted your scheme, I don’t know anything about your pension scheme”. The journalist emphasised that it was important to her not to pay any tax, and again sought confirmation that this “would be possible”, to which the complainant replied “yes”.
9. The complainant said that the article’s reference to pension “advice” inaccurately suggested that he had given regulated financial advice over the phone to the reporter. He argued that he had not offered any recommendations or judgements as to a proposed course of action and had not, therefore said anything which would have been recognised as “financial advice” by the Financial Conduct Authority; he had simply given factual information to the journalist based on what she had told him about her pension fund.

10. The complainant also said that it was inaccurate for the article to suggest that the information he had given the reporter had been misleading. It was not controversial to tell the reporter that she would not have to pay income tax if she was not receiving an income. If the reporter was entitled to tax-free money, she would not have to pay income tax on her withdrawal. During the course of their conversation, the complainant had made clear that in most circumstances, people seeking to withdraw money from their pension would only be entitled to withdraw 25% tax-free, in addition to the standard tax-free allowance (£10,600). There are circumstances in which people can withdraw a higher percentage of their pension tax-free; such circumstances are not particularly rare or unusual. It was on this basis that he had informed the reporter that she could be entitled to withdraw the entire sum tax-free. He also made clear that in order to be able to tell her with certainty the exact amount of tax-free money she could withdraw, he would have to obtain the full details of her pension from her provider, and write a report.
11. At the time of the conversation, the complainant said he had been suspicious that the potential client he was speaking to was in fact a journalist. He said that he had therefore been particularly mindful not to provide inaccurate information. He provided a screenshot of a message he had posted on Twitter after the conversation, in which he had suggested that he knew that he had been speaking to a journalist.
12. The newspaper said that it was not misleading to report that the complainant had given the reporter "advice" over the telephone. While it accepted that the term "advice" has specific definitions under FCA guidelines, the term had simply been used to describe the information given by the complainant to the reporter. Further, the person who had directed the journalist's call to the complainant had referred to him as the firm's "adviser". In any case, the complainant had given regulated "advice" according to the newspaper's interpretation of the FCA guidelines on the matter.
13. The newspaper argued that the advice given was misleading. In the vast majority of cases, only 25% of a person's pension fund can be withdrawn tax-free. An additional £10,600 could then potentially be withdrawn tax-free as it falls within the personal allowance, and the rest would be subject to income tax at 20%. This would mean that the journalist would be entitled to withdraw £35,600 tax-free; the additional money withdrawn would be taxed at 20%. It is only in very rare circumstances that these figures would not apply. It was therefore not realistic for the complainant to suggest to the journalist that it was likely she could withdraw £40,000 to £45,000 without any tax implications.
14. The newspaper acknowledged that the complainant had said during the conversation that he was unable to say with certainty what the journalist's entitlement to tax-free money would be without contacting her pension provider; however, it took the view that the conversation as a whole would have left a potential client with the unrealistic impression that £40,000 to £45,000 could be withdrawn tax-free.

15. Nonetheless, in an effort to resolve the complaint, the newspaper offered to expand the online article to include a statement provided by the complainant. The statement would reflect more explicitly that the complainant would not have made any specific recommendations to a potential client without first contacting their pension provider. The newspaper also offered to publish the following clarification in print in its "Corrections and Clarifications" column, and online beneath the article:

An article about pensions advisers reported advice Mike Hardy of Abacus Advice Limited had given to the mystery shopper. Mr Hardy has asked us to clarify that he would not have made any specific recommendations without full investigation of the prospective client's existing pension arrangements.

Relevant Code provisions

16. Clause 1 (Accuracy)

- i) The Press must take care not to publish inaccurate, misleading or distorted information, including pictures.
- ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and – where appropriate – an apology published. In cases involving the Regulator, prominence should be agreed with the Regulator in advance.

Findings of the Committee

17. The Committee recognised the public interest in conducting mystery shopper exercises in order to investigate and expose impropriety, particularly when such impropriety could have an impact on the vulnerable. The new tax arrangements were potentially complicated, and there was consequently a need for the public to be able to easily access clear, accurate advice. The newspaper was entitled to criticise the conduct of the pension advisers on the basis of the information gathered by the journalist, given the potential risks, but was obliged to do so in a manner that was not misleading.
18. It was not misleading to describe as "advice" the information given by the complainant in response to the journalist's specific requests. The complainant was described as an "adviser", by his firm when first contacted on the telephone by the mystery shopper. Although the term "advice" has a technical meaning in the context of financial regulation, the information provided by the complainant about the potential implications for her financial position – in response to the journalist's inquiries – was reasonably defined as "advice". There was no breach of Clause 1 on this point.
19. The transcript showed that the journalist told the complainant straight away that she wanted to withdraw £40,000-£45,000 from a £100,000 pension pot. It also showed that on four occasions when the mystery shopper reiterated her request to

withdraw £40,000-£45,000 tax-free, the complainant suggested that might be possible.

20. However, the transcript also showed that on a number of occasions the complainant qualified his advice by explaining that he would need her authority to contact her pension scheme so as to be able to give advice based on the terms of her policy, without which he could not advise her specifically on the course of action she should take.
21. The transcript also revealed that the only specific percentage to which he referred was 25% and that he never referred to a figure of 45%.
22. The Committee emphasised that the newspaper was entitled to take the view that the complainant's responses to the journalist's inquiries were open to criticism, provided that that criticism was not based on factual inaccuracy.
23. The article claimed that the complainant "appeared to tell the reporter that there would be no tax implication if she withdrew 45% of her pension pot". The Committee concluded that that gave a misleading impression of their conversation as a whole, which was not remedied by the use of the word 'appeared'. The complainant never specifically advised that she could withdraw 45% of her pension fund tax-free; had he done so this would plainly have been "bad" advice. He never referred to a percentage of 45% at all but repeatedly explained that, generally, the amount of money which could be withdrawn tax-free would be 25%.
24. Further, the complainant had told the journalist several times that he would need to contact her pension provider before being able to say for certain how much she was entitled to withdraw tax-free. There was no reference in the article to this repeated qualification.
25. The failure of the article to refer to the complainant's repeated qualification or to the fact that he had only ever referred to 25% of the money being tax-free amounted to a failure to take care not to publish misleading information in breach of Clause 1(i).
26. Given the trenchant criticism of the advice given, this misleading impression was significant. The newspaper had offered a clarification during IPSO's investigation of the complaint; however, in the Committee's view, the wording offered was insufficient to comply with the newspaper's obligations under Clause 1 (ii) as it failed to clearly identify the misleading information published.

Conclusion

27. The complaint was upheld.

Remedial Action Required

28. The Committee required the publication of a correction. The newspaper had already offered to publish a clarification in print and online which restated that the complainant would have contacted the journalist's pension scheme before giving her any specific advice. However, the wording offered did not identify the misleading information published. The newspaper should therefore include in the published correction the fact that the complainant had not told the journalist that she could withdraw 45% of her pension fund tax-free. The correction should appear beneath the online article and in its Clarifications & Corrections column in print, and should explain that the correction is being published following a ruling by IPSO.

APPENDIX B

Decision of the Complaints Committee 05438-15 Burnett v Kent & Sussex Courier

Summary of complaint

1. Steve Burnett complained to the Independent Press Standards Organisation that the Kent & Sussex Courier breached Clause 1 (Accuracy) and Clause 3 (Privacy) of the Editors' Code of Practice in an article headlined "Revealed...the man behind the mask of the caped crusader", published on 28 August 2015.
2. The article claimed that the newspaper had "revealed" the complainant to be Ring Pull Man, a local "caped crusader" who dresses in a Batman costume and collects ring pulls. The ring pulls are then sent to the Philippines where they are recycled, and the profit used to support the Philippine Community Fund (PCF) charity. The article included extensive quotations from an interview with Ring Pull Man (attributed to the complainant), as well as a biography of the complainant, with details of his history of drug use.
3. The complainant said that the article's central claim was inaccurate: he was not Ring Pull Man and had not made the comments attributed to him in the article. He said that the newspaper's claims were nothing more than guesswork. The complainant said that the newspaper could have contacted him at his place of work in order to verify whether he was Ring Pull Man, but had failed to do so. He was out of the country during the period when Ring Pull Man was reportedly sighted, and the complainant said he had a different height and build to Ring Pull Man, and explained that he has a ginger beard, whereas Ring Pull Man was clean shaven in the published photographs.
4. The complainant said that he had discovered after publication that the true Ring Pull Man was in fact known to him, and Ring Pull Man had told the complainant that he had repeatedly denied to the newspaper that he was Steve Burnett. The complainant said that the inaccuracies had been damaging to him.
5. The complainant said that the information about his history had been taken from a video he had recorded to be shown at a one-off church service. It had been uploaded to the Vimeo website by his church, and he had believed that users would need a password in order to view it, although nobody at the church could confirm this after publication of the article. The complainant was concerned that the information had been presented as if he had voluntarily provided it to the newspaper in an interview. He accepted that he had made some public disclosures about his past: he had spoken about his addiction at six or seven Men's Breakfasts a few years previously, as well as about twice a year as part of an addiction recovery course, which he runs at his church. It has been attended by approximately 150 people over two years. The complainant said that his former addiction was not commonly known in his local community, although it is known in his church community. In particular, he and his wife had not yet informed their children about

this aspect of his past. The article was an unjustified intrusion into his private life, which had caused him and his family distress.

6. The newspaper said that the article was published after it had been contacted directly by Ring Pull Man. This conversation was the source of the quotations which were published and attributed to the complainant. The newspaper explained that it was its genuine belief that the complainant was Ring Pull Man: his recycling company collects ring pulls, and he is a trustee of the PCF charity. When it was put to Ring Pull Man that he was Steve Burnett, Ring Pull Man had said "I will deny it", and that it would be disappointing for his identity to be revealed. As Ring Pull Man declined to deny being the complainant, the newspaper was satisfied, following the conversation, that the complainant was Ring Pull Man.
7. The newspaper then contacted a friend of the complainant, who runs the addiction recovery course with him, in order to corroborate the story. The friend said that he was not aware that the complainant was Ring Pull Man, and that he would contact the complainant to check that he was happy for him to speak to the newspaper. The newspaper said that in the subsequent conversation with the journalist, the complainant's friend had not denied that the complainant was Ring Pull Man (the complainant's friend's recollection of the conversation was that he had either said that the complainant was not Ring Pull Man, or he had said that the complainant had told him that he was not Ring Pull Man). The newspaper said that, if the complainant had been concerned at this stage that the newspaper was going to run inaccurate information about him, then he should have drawn his concerns to the newspaper's attention.
8. The newspaper said that information about the complainant's former addiction was available in the public domain following his own disclosures, and had been presented in the article in a wholly positive light. It said that the complainant's video was freely available on Vimeo, and was easily found by the journalist; it was not password protected. The complainant's friend had also given details of the complainant's history to the journalist directly, after the friend had spoken with the complainant.
9. The newspaper accepted, in response to IPSO's investigation of the complaint, that it should have taken additional steps to verify whether the complainant was Ring Pull Man. It offered to publish a correction and apology on page 3 of a forthcoming edition; the article under complaint had been published on the front page, and continued on page 9. The newspaper offered the following wording:

"On 27 August 2015, the Courier published an article entitled 'Tunbridge Wells Batman – troubled past that drives him to do good.' In the article it was stated that the man behind the guise of Ring Pull Man was in fact Steve Burnett, a local businessman. Mr. Burnett says that although he would be proud to be Ring Pull Man and is grateful for his efforts, he is not Ring Pull Man as stated in the article. The Courier apologises for any distress caused to Mr. Burnett and his family."

10. The newspaper also offered to publish a follow-up story about the charity of which the complainant is a trustee.

Relevant Code provisions

11. Clause 1 (Accuracy)

- (i) The press must take care not to publish inaccurate, misleading or distorted information, including pictures.
- (ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and – where appropriate – an apology published.
- (iii) The press, whilst free to be partisan, must distinguish clearly between comment, conjecture and fact.

Clause 3 (Privacy)

- (i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.
- (ii) Editors will be expected to justify intrusions into any individuals' private life without consent. Account will be taken of the complainant's own public disclosures of information.

The public interest

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

Findings of the Committee

12. The newspaper did not know that the complainant was Ring Pull Man when it had made the decision to publish. Its belief that the complainant had adopted this alter ego was based on limited circumstantial evidence and a telephone conversation with an unidentified individual, who claimed to be Ring Pull Man, and who did not deny being the complainant when asked. The newspaper had not contacted the complainant to seek his comment on the story, and instead relied on a conversation with a friend of the complainant's – who did not confirm whether the complainant was Ring Pull Man – as corroboration. The newspaper mistakenly believed that it had already spoken to the complainant and proceeded to publish – as fact – that it had solved the "mystery" of Ring Pull Man's identity.
13. The Committee acknowledged the newspaper's position that this was intended to be a positive piece about a local celebrity, and it was clear that significant confusion had arisen at the newspaper over Ring Pull Man's identity; there was no malicious intent in naming the complainant. However, the steps taken by the newspaper to establish the accuracy of its claims were insufficient, and the Committee did not accept the newspaper's assertion that the burden was on the complainant to proactively contact the newspaper to express concern in advance of publication; the story breached Clause 1 (i).
14. The Committee was not in a position to establish conclusively whether or not the complainant was Ring Pull Man. However, it was significantly misleading for the

newspaper to claim that it had established that the complainant was Ring Pull Man when it had not done so. The offer of the correction and apology was therefore necessary in order to comply with the newspaper's obligations under Clause 1 (ii) of the Code.

15. The Committee understood the complainant's concern about the publication of details of his former addiction, especially given that the article had inaccurately "revealed" him to have an alter ego which he denied. However, the Committee noted that the complainant's church had been unable to confirm that the video from which the newspaper had gathered the information had been password-protected at the time of publication, and so it appeared that the information had been easily accessible online at the time. The complainant had shared his story within his church, and it was known to that community; he had also shared it at a series of Men's Breakfasts a few years previously. He had chosen to share his story with the intention of assisting people who might be facing their own addictions. The article under complaint had presented it in a similar way: it was an optimistic article about the manner in which the complainant had made positive changes in his life. In all the circumstances, the Committee did not consider that publication of this information represented a failure to respect his private life. There was no breach of Clause 3.

Conclusions

16. The complaint was upheld under Clause 1.

Remedial action required

17. Having upheld the complaint under Clause 1, the Committee considered what remedial action should be required. The Committee has the power to require the publication of a correction and/or adjudication; the nature, extent and placement of which is to be determined by IPSO. It may also inform the publication that further remedial action is required to ensure that the requirements of the Editors' Code are met.
18. The Committee welcomed the newspaper's offer of a correction and apology. However, it was concerned by the serious failure to take care over the accuracy of the article, and noted that the article had been the newspaper's lead front-page story. It had also led to the prominent publication of highly sensitive information about the complainant - although the Committee had found that the publication of this information did not represent a further breach of the Code. For these reasons the Committee decided that the offered apology was not sufficient to remedy the breach of the Editors' Code; an adjudication was the appropriate remedy. The original article was published on the front page, and continued on page 9. The adjudication should be published in full on page 9, or further forward, and reference to it should be published on the front page. The front-page reference should make clear that IPSO has upheld the complaint, and refer to its subject matter; the headline of the adjudication, and the wording of the front-page reference, must be agreed with IPSO in advance. The adjudication should also be published on the newspaper's website, with a link to the full adjudication

appearing on the homepage for 24 hours; it should then be archived online in the usual way.

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

Following an article published in the Kent & Sussex Courier on 28 August 2015, headlined "Revealed...the man behind the mask of the caped crusader", Steve Burnett complained to the Independent Press Standards Organisation that the Kent & Sussex Courier had published inaccurate information in breach of Clause 1 (Accuracy) of the Editors' Code of Practice. IPSO upheld the complaint and has required the Courier to publish this decision as a remedy to the breach.

The article claimed that the newspaper had "revealed" the complainant to be Ring Pull Man, a local "caped crusader" who anonymously collects ring pulls for charity. The article included extensive quotations from an interview with Ring Pull Man, which were attributed to the complainant.

The complainant said that the article's central claim was inaccurate: he was not Ring Pull Man and had not made the comments attributed to him in the article. He said that the newspaper's claims were nothing more than guesswork.

The newspaper said that the article was published after it had been contacted directly by Ring Pull Man. The newspaper explained that it was its genuine belief that the complainant was Ring Pull Man, due to circumstantial evidence. It did accept, however, that it should have taken additional steps to verify whether this was the case. It offered to publish a correction and apology in a forthcoming edition.

IPSO's Complaints Committee said that the newspaper did not know that the complainant was Ring Pull Man when it had made the decision to publish, and it had not contacted the complainant to seek his comment on the story.

The Committee was not in a position to establish conclusively whether or not the complainant was Ring Pull Man. However, it was significantly misleading for the newspaper to claim that it had established that the complainant was Ring Pull Man - and had confirmed this with him - when it had not done so. The story breached Clause 1.

APPENDIX C

Paper No.	File Number	Name v Publication
467	N/A	Third party
468	N/A	Request for review
470	05748-15	Talavera v Liverpool Echo
474	05905-15	Dani-Pal v The Times
475	05903-15	Shadforth v The Daily Telegraph
476	04697-15 / 04737-15	Issroff v Ham & High / London24.com
478	N/A	Third party
479	N/A	Request for review
488	05386-15	The Royal Marsden NHS Foundation Trust v The Spectator
489	N/A	Request for review
500	05546-15	Flower v Bournemouth Echo
501	06088-15	Slade v The Argus (Brighton)
502	N/A	Request for review
503	N/A	Third party
507	06076-15	O'Connell v Daily Express
508	06116-15	Steele v The Times
509	05019-15	Beer v Daily Mirror
510	05893-15	Kudmany v Southern Daily Echo
511	05946-15	Kudmany v The Daily Telegraph
512	04727-15	Hanks v Ayrshire Post
513	04622-15	A woman v Irish News
514	05056-15	A man v Daily Record
515	05240-15	A man v Daily Express
516	05241-15	A man v The Herald
517	N/A	Third party
518	N/A	Request for review
520	07347-15	Davies v Daily Mirror
521	06205-15	Allen v Birmingham Mail
522	05168-15	Wanstall v Dover Express
524	N/A	Third party