

**MINUTES of the COMPLAINTS COMMITTEE MEETING**  
**Wednesday 14 December 2016 at 10.30 am**  
Gate House, 1 Farringdon Street, London EC4M 7LG

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

**In attendance:** Ben Gallop, Head of Complaints  
Michelle Kuhler, PA to CEO and minute taker  
Bianca Strohmann, Head of Complaints  
Matt Tee, Chief Executive Officer

**Also present: Members of the Executive:**

Xavier Bastin  
Ciaran Cronin  
Niall Duffy  
Vikki Julian  
Holly Pick  
Charlotte Urwin  
Hugo Wallis  
Alistair Henwood

**Observers:** Jonathan Grun, Editors' Code of Practice Committee

1. Apologies for Absence

Apologies for absence were received from Richard Best.

2. Declarations of Interest

Peter Wright declared an interest in item 11. He left the meeting for this item.

3. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 7 October.

4. Update by the Chairman - oral

The Chairman informed the Committee that the new edition of the Editors' Codebook would be published by the Editors' Code Committee before the end of December. He also informed the Committee that Xavier Bastin would be leaving IPSO at the end of the year, and welcomed new Complaints Officer Madeleine Palacz.

**External affairs**

The Chairman updated the Committee on recent events, including his appearance, with the CEO, before the House of Lords Communications Committee. He also updated the Committee on recent media appearances, including BBC Broadcasting House and Sky News.

5. Update on Editors Code Consultation – oral

Charlotte Urwin, Head of Standards, informed Committee Members that the Code Committee had launched a consultation on changes to the Code. She explained that a paper would be brought to the January meeting to consider how the Committee might wish to contribute to IPSO's response, and asked members of the Committee to provide any comments in advance.

6. Matters Arising

There were no items arising.

7. Complaint 06005-16 Haigh v Daily Express

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

8. Complaint 08379-16 A Man v The Belfast Telegraph

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

9. Complaint 07016-16 McDonald v Daily Express

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

10. Note to Committee Members – Various v Mail Online/thesun.co.uk

The Committee agreed that the Executive would contact the party directly affected by the subject matter of these complaints, to establish whether they intended to complain in light of public statements suggesting they would, and that a final decision would be taken after a response had been received.

11. Discussion Paper: draft practice note on prominence

The Committee held a short discussion on this paper and were asked to submit their thoughts to the Chairman in writing.

12. Complaints not adjudicated at a Complaints Committee meeting

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

13. Any other business

The Chairman thanked all the Committee members and wished everyone a Happy New Year.

14. Date of Next Meeting

The date of the next meeting was confirmed as **Wednesday 11 January 2017**.

The meeting ended at 12.05pm

**Michelle Kuhler**  
PA to CEO

## APPENDIX A

### Decision of the Complaints Committee 06005-16 Haigh v The Daily Express

#### Summary of complaint

1. Paul Haigh complained to the Independent Press Standards Organisation that the Daily Express breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "EU Exit Boosts House Prices", published on 22 July 2016.
2. The article was published on the newspaper's front page, and continued on page five. The front page reported that "house prices rose by more than 10 per cent last month as Britain voted to leave the EU". It said that home loan figures for June 2016 had also been the highest for eight years "as the whole country benefitted from the Brexit effect". The remainder of the article, on page five, stated that figures released by property analysts Hometrack showed that property prices across major cities had risen by 10.2 per cent year-on-year, and the increase was "stronger than the 6.9 per cent year-on-year price rises seen in June 2015". It said the figures show that "buyers ignored Project Fear economic warnings in the run-up to the referendum", and that "doom-mongers predicting economic meltdown in the wake of the Brexit result have been left nonplussed by a raft of positive figures, including record levels of employment".
3. The article was also published online with the headline "EU exit boosts house prices: Owners across whole country see big rises after Referendum". Its subheading said "House prices and mortgage lending continue to rise on the back of the Brexit vote as the UK property market goes from strength to strength". The online article did not contain the statement that house prices had risen by more than 10 per cent "last month".
4. The complainant said that the newspaper had inaccurately reported that the vote to leave the European Union had "boosted" house prices. He said that the Hometrack figures did not reflect the period following the referendum but related to the period leading up to it; as such the rise in house prices they showed could not have been a result of the vote to leave the EU.
5. He noted that house prices had risen at the same rate in May and June 2016 and said this showed that the Brexit vote actually had no effect on house prices. He considered that the information had been deliberately manipulated to reflect positively on the vote to leave the EU.
6. The complainant also expressed concern that the newspaper had reported that "owners across the whole country" had seen "big rises" in house prices. He said house prices had not risen by 10 per cent across the country, as reported: the average year-on-year growth was 8.6 per cent nationally, with the top 20 cities averaging 10.3 per cent year-on-year growth. He said that house prices in his area had risen by just 1.3 per cent over the last year, and noted that the Hometrack figures indicated that only three cities in the UK had grown by 10 per cent or more. The complainant also objected to the suggestion that the north had seen "house prices soar" as only one city in the north had appeared in the top ten cities listed by Hometrack.
7. The newspaper said that as the article was published only a few weeks after the referendum, it could only ever have reported a view of one month's house price figures. It said that the article had reported that house prices had risen "as" Britain voted to leave the European Union, not as a result of the vote to leave; the headline was clearly speculative in nature, and represented a snapshot of the situation following the vote to leave. It considered that it had accurately reported that home loan figures for June 2016

had been the highest for eight years “as the whole country benefited from the Brexit effect”; the article had accurately reported that the “world had not ended” despite the “doom and gloom” of the Remain campaign.

8. The newspaper accepted that an error had been made in the first line of the print article, which stated that house prices had risen by 10 per cent in the “last month”; in fact, the 10 per cent rise related to city homes only and had been an annual rise. The newspaper argued that the headline was not based on this inaccurate assertion, and should therefore be considered in relation to the corrected text, as well as the rest of the article, which made the factual position clear. Although it did not consider that the reference to a 10 per cent monthly rise was significantly misleading, it offered to publish the following correction in its Corrections column and online:

*In our article, “EU exit boosts house prices” published on 22 July 2016 we reported a rise in house prices as a result of the “Brexit effect”. The rise was in fact an annual rise, but due to an editorial error it was reported as a monthly rise. We apologise for this and are happy to set the record straight.*

#### Relevant Code provisions

9. Clause 1 (Accuracy)
  - i. The Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text.
  - ii. A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and — where appropriate — an apology published. In cases involving IPSO, due prominence should be as required by the regulator.
  - iii. A fair opportunity to reply to significant inaccuracies should be given, when reasonably called for.
  - iv. The Press, while free to editorialise and campaign, must distinguish clearly between comment, conjecture and fact.

#### Findings of the Complaints Committee

10. The Committee did not accept the newspaper’s suggestion that the front-page headline had not referred to the effect of the referendum result on house prices. In any event, any ambiguity in the headline was resolved by the first line of the print article, which had, inaccurately, supported the claim with the assertion that house prices had risen by 10 per cent in the “last month”. Consequently, the article had given the clear impression that house prices had risen considerably as a result of the vote to leave the EU.
11. Although the online article had not included the inaccurate assertion that house prices had risen by 10 per cent in the “last month”, there was no ambiguity in its headline: it had explicitly stated that house prices had risen “after” the referendum. In addition, the subheading had asserted that house prices “continue to rise on the back of the Brexit vote”, and a caption stated that house prices “continued to rise since Britain voted to leave the EU”.
12. In both instances, the newspaper had failed to substantiate the headline claim. Save for the last seven days of June 2016, all the house price data referred to in both the print and online articles related to the period leading up to the referendum, and the newspaper had failed to provide any further evidence to support the assertion that house prices had increased as a result of the vote to leave the EU, beyond the significantly inaccurate claim that there had been a 10% rise, post-referendum, in the print article. This represented a failure to take care over the accuracy of the article in breach of Clause 1 (i). A correction was required in order to avoid a breach of Clause 1 (ii).

13. The newspaper had offered to publish a correction, which addressed the concern that an annual rise in house prices had been incorrectly reported as a monthly rise in the print article. However, the wording failed to address the unsubstantiated headline claim, which appeared in both versions of the piece, that the vote to leave the EU had “boosted” house prices. This represented a breach of Clause 1 (ii).
14. The Committee also considered the complainant’s concern that the newspaper had inaccurately reported that house prices had risen by 10 per cent across the country. However, other than the inaccurate reference to the Hometrack data, which appeared in the first line of the print article, the newspaper had reported the statistics accurately. As the data indicated that year-on-year growth across 20 major cities had averaged 10.2 per cent, it was not significantly misleading for the newspaper to report that home owners “across the whole country” had seen “big rises” in house prices year on year. Furthermore, while the Committee acknowledged that only one northern city was included in the ten cities that had seen the greatest rise in house prices, the Hometrack report had stated that “large cities in northern parts of the UK such as Glasgow, Manchester, Liverpool and Leeds have registered strong growth in the last quarter”. As such, it was not significantly misleading for the newspaper to report that the north “leads the way as house prices soar”. There was no failure to take care over the accuracy of the article on these points.

### **Conclusion**

15. The complaint was upheld.

### **Remedial action required**

16. Having upheld the complaint, the Committee considered what remedial action should be required. The newspaper had offered to publish a correction, but the wording had not addressed the significantly misleading headline claim. The newspaper had therefore failed to comply with the obligations of Clause 1(ii), and the Committee required the publication of an adjudication.
17. As the seriously inaccurate information had appeared prominently in the front-page headline, and had been compounded by a further significant inaccuracy on the front page of the print article, the Committee required the newspaper to publish a reference to the adjudication on the front page, directing readers to the full adjudication, which should be published on page five. The wording of the front-page reference and the headline to the adjudication should be agreed with IPSO in advance, or in the absence of agreement, as determined by the Complaints Committee. It should refer to IPSO, include the title of the newspaper, and make clear that the complaint was upheld. The front-page reference should appear in the same position, in the same size font, and overall taking up no less space than the sub-headline which appeared on the front page under complaint. The reference should also appear within a border distinguishing it from other editorial content on the page.
18. As the significantly misleading headline had also been published on the newspaper’s website, the adjudication should also be published online. A link to the full adjudication should appear on the homepage for 24 hours; it should then be archived in the usual way. Should the newspaper continue to publish the article online, without amendment, in light of this decision, it should publish the adjudication in full, beneath the headline. If amended, a link to the adjudication should be published with the article, explaining that it was the subject of an IPSO adjudication.
19. The terms of the adjudication to be published are as follows:

Following the publication of an article in *The Daily Express* on 22 July 2016, headlined “EU Exit Boosts House Prices”, Paul Haigh complained to the Independent Press Standards Organisation that the *Daily Express* breached Clause 1 (Accuracy) of the Editors’ Code of Practice. The complaint was upheld, and IPSO required the newspaper to publish this adjudication. In addition, as the inaccurate information appeared in the front-page headline, IPSO also required the newspaper to publish a front-page reference to this adjudication.

The front page of the print article reported that “house prices rose by more than 10 per cent last month as Britain voted to leave the EU”. The online article, which was headlined “EU exit boosts house prices: Owners across whole country see big rises after Referendum”, did not state that house prices had risen by 10 per cent “last month”.

The complainant said that the newspaper had inaccurately reported that the vote to leave the European Union had “boosted” house prices. He said that the house price figures relied on by the newspaper did not reflect the period following the referendum but related to the period leading up to it.

The newspaper said that the article had reported that house prices had risen “as” Britain voted to leave the European Union, not as a result of the vote to leave. It accepted, however, that it had inaccurately stated in print that house prices had risen by 10 per cent in the “last month”; in fact, this had been an annual rise. The newspaper argued that the headline was not based on this inaccurate assertion, and should therefore be considered in relation to the corrected text, as well as the rest of the article, which had correctly reported the statistics for the year June 2015 to June 2016.

The Committee considered that both versions of the article had given the clear impression that house prices had risen considerably as a result of the vote to leave the EU. Save for the last seven days of June 2016, all the house price data referred to in the article related to the period leading up to the referendum, and the newspaper had failed to provide any further evidence to support the headline assertion, beyond the significantly inaccurate claim that there had been a 10% rise, post-referendum, in the print article. The newspaper had published seriously inaccurate information; this represented a failure to take care over the accuracy of the article. The complaint under Clause 1 was upheld.

## APPENDIX B

### Decision of the Complaints Committee 08379-16 A man v Belfast Telegraph

#### Summary of Complaint

1. A man complained on behalf of his son to the Independent Press Standards Organisation that the Belfast Telegraph breached Clause 1 (Accuracy), Clause 2 (Privacy) and Clause 3 (Harassment) of the Editors' Code of Practice in an article headlined "School rocked by teen's Nazi tribute", published on 10 September 2016. The article was also published online with the headline "Top grammar school comes under fire after pupil's quotes that praise Hitler are included in yearbook".
2. The article reported on the complainant's son's entry in his school yearbook, which it explained was made up of short biographies of graduating students. The article claimed that the yearbook "included vile Nazi comments attributed to a pupil". The article named the school, but did not name the complainant's son. It reported that in his yearbook entry, the complainant's son had described himself as "British, Loyalist and Fascist", had quoted: "It is not the truth that matters, but victory", from Adolf Hitler's autobiography 'Mein Kampf', and had referred to the 1923 Munich Putsch.
3. The article was accompanied by an image of the yearbook entry, in which the complainant's son's face and name were pixelated. In the image of the yearbook entry, the words "Munich Putsch (1923)" appeared under "My confession...", and the quote from Mein Kampf was referred to as "Best quote", and was attributed to Adolf Hitler. The image also showed that the complainant's son had responded to the statement "In 10 years time I'll be ...", with the claim "Crushing Socialism", and responded to the question "what will you miss most?", with "Banter in Politics". The image showed that the complainant has responded to the statement "3 words that best describe me are...", with the words "British, Loyalist, Fascist". The article appeared on the front page, but the full article was published on page 5 with the headline: "Top grammar comes under fire after pupil's quotes that praise Hitler are included in yearbook".
4. The article reported that the school had issued a statement saying that the yearbook was a student publication, that the contribution in question was made by an 18-year-old former pupil, and that his comments did not reflect the views of the school. It reported that a local politician had objected to the comments, and that he had demanded the yearbook be recalled, and edited. It reported that the comments had "sparked alarm among parents", and that one parent had "accused the school of 'nurturing' hatred".
5. The online version of the article was identical to the print version of the article.
6. The complainant said the yearbook had been written for the students in his son's year group at school, and had not been intended for wider distribution. As a result, the yearbook entries were written in a light-hearted manner, containing "in-jokes", only apparent to fellow students and some of the teachers. He noted that in the same yearbook, another student had described himself as a "Nationalist, Communist", quoted Karl Marx, and referred to the Bolshevik Revolution, and said that the 'banter' in his son's politics class was the context for his son's yearbook entry. He said that by taking the yearbook entry out of its context and ignoring its humorous nature, the newspaper had inaccurately portrayed his



son as a neo-Nazi. In addition, he said it was normal for his son to quote historical figures in his academic work, and that quoting figures such as Hitler does not mean he subscribes to their ideology. He said it was inaccurate to claim his son had praised Hitler, or that his son's yearbook entry contained "vile Nazi comments attributed to a pupil", and said that the allegation that the school was "nurturing hatred", lacked justification.

7. The complainant said that as far as he was aware, the yearbook was not published online, and was sold to the 110 students in his son's year group. He said that anybody who knew his son could identify him from the pixelated photograph, including all the students at his school. He said that the newspaper failed to contact his son prior to publication, and that by publishing his yearbook entry, the newspaper had breached his privacy. The complainant said that as a result of the article, his son had received unpleasant comments, that many people had made posts on social media, and that his son had been contacted by another newspaper.
8. The newspaper said that the yearbook was distributed to at least 100 students, and would have been read by countless other individuals once it entered the public domain. It said that the complainant's son was the guardian of what information about him he wished to remain private, and in this case, he had waived any right of privacy in respect of the remarks he made in his yearbook entry.
9. The newspaper said that the yearbook was endorsed by a leading school, and would be read by pupils and others from diverse sections of society. It said the yearbook was not a proper vehicle for the complainant's son to air his comments. In this respect, it said there was a public interest in informing the public about the matter, in a newspaper that has always devoted considerable coverage to education issues.
10. The newspaper denied that the article was inaccurate. It said there had never been any dispute about the contents of the complainant's son's yearbook entry, and said that he was not approached for comment as the yearbook entry was in the public domain.

### Relevant Code Provisions

#### 11. Clause 1 (Accuracy)

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

#### Clause 2 (Privacy)

- i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.
- ii) Editors will be expected to justify intrusions into any individual's private life without consent. Account will be taken of the complainant's own public disclosures of information.
- iii) It is unacceptable to photograph individuals, without their consent, in public or private places where there is a reasonable expectation of privacy.

#### Clause 3 (Harassment)

- i) Journalists must not engage in intimidation, harassment or persistent pursuit.
- ii) They must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on property when asked to leave and must not follow them. If requested, they must identify themselves and whom they represent.
- iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other source

#### **Findings of the Committee**

12. In deciding whether the complainant's son had a reasonable expectation of privacy in relation to the information published by the newspaper, the Committee considered both the nature of the information contained in the article, and the extent of the complainant's son's own public disclosure of this information. The complainant's son's responses to the various headings did not disclose information about his private life; on the complainant's own account, they were jokes about political history. In addition, there were more than 100 students in the complainant's son's year group, who were all able to purchase the book, and who would be free to show the book to others. The article did not name the complainant's son, and his image had been pixelated. In all the circumstances, the complainant's son did not have reasonable expectation of privacy in relation to the information contained in the article, and there was no breach of Clause 2.
13. The complainant's son had responded to the heading "Best quote", with a quotation by, and attributed to Adolf Hitler; had claimed that "in 10 years time", he would be "Crushing Socialism"; had referred to himself as "Fascist"; and had said that his "confession" was the Munich Putsch. The article included a prominent image of the yearbook entry in question. The Committee acknowledged the complainant's position that these were 'in-jokes'. However, the complainant's son had written these comments for publication in a yearbook, which could be expected to be read without the benefit of that context. The newspaper was entitled to interpret the complainant's son's yearbook entry from an external point of view, and it was clear from the article that it was doing so. The newspaper was entitled to characterise the yearbook entry as "praising" Hitler, and it was not significantly misleading to report that the yearbook entry included "vile Nazi comments". The basis for the parent's claim that the school was "nurturing hatred" was made clear, and this aspect of the article was not significantly misleading. The Committee did not establish that the article contained a significant inaccuracy, or a significantly misleading statement. There was no breach of Clause 1.
14. The Committee noted the complainant's position that his son had received unpleasant comments as a result of the article, and that he had been contacted by the newspaper's sister publication. However, the newspaper was not responsible under the Code for the comments made to the complainant's son by third parties, or the approach that was made to him by another newspaper. There was no breach of Clause 3.

#### **Conclusions**

15. The complaint was not upheld.

#### **Remedial Action**

16. N/A

## APPENDIX C

### Decision of the Complaints Committee 07016-16 McDonald v Daily Express

#### Summary of Complaint

1. Tony McDonald complained to the Independent Press Standards Organisation that the Daily Express breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "98% say no to EU deal", published in print on 26 July 2016, and "98 per cent say NO to EU deal: Forget talks with Brussels and quit NOW, urges new poll", published online on 26 July.
2. The print article reported that 98% of people who took part in a phone survey for the publication said that the decision to leave the EU should be enacted now, rather than after talks with Brussels. It said that the poll came after Prime Minister Theresa May told Tory MEPS that there could be "months of negotiations" before Article 50 is triggered.
3. The online article referred to the poll as an "online poll". It was otherwise substantively similar to the article that appeared in print.
4. The complainant said that the headline was misleading because it did not make clear that the 98% figure had come from a survey of readers, rather than representing the view of the public at large. He said that to arrive at a figure of 98%, the sample in the survey must have been screened or tested in advance. He said that a genuine poll could not have found 98% of the population who would agree with the question asked in the poll, and that a responsible poll would have ensured a representative sample.
5. The newspaper denied that the article was misleading. It said that the headline needed to be read with the text of the article, from which it would have been clear that the 98% result came from a phone survey of its readers because the newspaper runs such a phone survey every day. The survey question was "Should UK end all talk of deals and quit the EU now?", and was printed on page 7 of the previous day's edition of the newspaper; readers had to pay to register their response to the question, and were asked to give a 'yes' or 'no' answer. It said that 5,746 people had responded to the survey, with 5,622 responding 'yes' and 124 'no'.
6. The newspaper said that the online version of the article was published the previous afternoon at which point 3,548 readers had answered 'yes', and 67 'no'. It said that the online article did originally include reference to an "online poll", which was inaccurate. However, while it had removed this reference from the article, it did not consider that it represented a significant inaccuracy.
7. The complainant said that the article was misleading because it not say that the poll was a survey that participants had to pay to register their response. He said that because people had to pay to respond, it was unlikely that the average reader voiced their opinion, and that only people with strong views would have responded. He said that, in any event, the poll could not even claim to be representative of the newspaper's readers, as only approximately one per cent of its readership had participated.

#### Relevant Code Provisions

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

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

### Findings of the Committee

9. The print article reported that demands for a swift EU exit had grown in the wake of a “new poll”, which had urged Britain to “forget talks with Brussels and quit now”. It explained that the poll, which was described as a “phone survey for the Daily Express”, had found that 98 per cent of people said the decision to quit the EU should be enacted now. The article went on to include comments from senior politicians welcoming the poll’s findings.
10. The Committee did not accept the newspaper’s argument that because it ran a phone poll every day it was clear that the “poll” referred to was a survey of its readers. The Committee also took into account the fact that the poll had been presented as a significant political event, putting pressure on the Government to leave the EU as soon as possible, and including responses to it from senior political figures. In all the circumstances, the Committee took the view that the article gave the impression that it was reporting the significant results of a representative poll carried out by a third-party for the publication. In fact, the poll was conducted through a premium rate phonenumber, which allowed a self-selecting sample of the newspaper’s readers to express their views. In these circumstances, the manner in which the poll was presented, particularly in the absence of information which might identify its methodology represented a failure to take care not to publish inaccurate or misleading information and was a breach of Clause 1(i). The online article, which reported that a “new Daily Express online poll” had revealed that 98% of people had said no to an EU deal, breached Clause 1(i) in the same manner as the print version. Further, the newspaper’s failure to correct this significantly misleading information was a breach of Clause 1(ii).

### Conclusions

11. The complaint was upheld.

### Remedial Action Required

12. Having upheld the complaint, the Committee considered what remedial action should be required. In circumstances where the cumulative effect of the coverage had given a misleading impression of how the poll had been conducted, and the newspaper had not taken any steps to mitigate the effects of the breach by offering to publish a correction, the appropriate remedy was the publication of an upheld adjudication.
13. The headline, sub-headline and opening paragraphs of the story, which appeared on the newspaper’s front page, all contributed to the significantly misleading impression that the poll had been conducted in accordance with the usual practices of political polls; as a result, the Committee required the newspaper to publish a reference to the adjudication on the front page, directing readers to the full adjudication, which should be published on page two. The wording of the front-page reference and the headline to the adjudication should be agreed with IPSO in advance, or in the absence of agreement, as determined by the Complaints Committee. They should refer to IPSO, include the title of the newspaper, and make clear that the complaint was upheld. The front-page reference should appear in the same size font, and overall taking up no less space, than the sub-headline which appeared on the front page under complaint. The reference should also appear within a border distinguishing it from other editorial content on the page.

14. As a misleading headline had also been published on the newspaper's website, the adjudication should also be published online. A link to the full adjudication should appear on the homepage for 24 hours; it should then be archived in the usual way. Should the newspaper continue to publish the article online, without amendment, in light of this decision, it should publish the adjudication in full, beneath the headline. If amended, a link to the adjudication should be published with the article, explaining that it was the subject of an IPSO adjudication.
15. The terms of the adjudication to be published are as follows:

*Following the publication of an article in The Daily Express on 26 July 2016, headlined "98% say no to EU deal" in print, and "98 per cent say NO to EU deal: Forget talks with Brussels and quit NOW, urges new poll" online, Tony McDonald complained to the Independent Press Standards Organisation that the Daily Express breached Clause 1 (Accuracy) of the Editors' Code of Practice. The complaint was upheld, and IPSO required the newspaper to publish this adjudication.*

*The complainant said that the headline was misleading because it did not make clear that the 98% figure had come from a survey, rather than representing the view of the public at large. He said that a genuine poll could not have found 98% of the population who would agree with the question asked in the poll, and that a responsible poll would have ensured a representative sample.*

*The newspaper denied that the article was misleading. It said that the headline needed to be read with the text of the article, from which readers would have understood that the 98% result came from a phone survey of its readers. The survey question was "Should UK end all talk of deals and quit the EU now?", and was printed on page 7 of the previous day's edition of the newspaper; readers had to pay to register their response to the question, and were asked to give a 'yes' or 'no' answer.*

*IPSO's Complaints Committee did not accept the newspaper's argument that because it ran a phone poll every day it was clear that the "poll" referred to was a survey of its readers. The Committee also took into account the fact that the poll had been presented as a significant political event, putting pressure on the Government to leave the EU as soon as possible, and including responses to it from senior political figures. In all the circumstances, the Committee took the view that the article gave the impression that it was reporting the significant results of a representative poll carried out by a third-party for the publication. In fact, the poll was conducted through a premium rate phonenumber, which allowed a self-selecting sample of the newspaper's readers to express their views. In these circumstances, the manner in which the poll was presented, was a breach of Clause 1 The online article, which reported that a "new Daily Express online poll" had revealed that 98% of people had said no to an EU deal, breached Clause 1 in the same manner as the print version.*