



IPSO Annual Statement 2017

Newsquest Media Group

This is the annual statement of Newsquest Media Group to the Independent Press Standards Organisation for the year 2017. It is made pursuant to clause 3.3.7 and Annex A of the Scheme Membership Agreement and the numbered references below are references to the numbered paragraphs of Annex A.

1. Factual information about the Regulated Entity

1.1 List of titles

Appendix 1 to this statement contains a list of Newsquest Media Group titles across the UK.

1.2 Responsible Person

The Responsible Person (as defined in clause 3.3.9 of the Scheme Membership Agreement) is Simon Westrop, the Group Head of Legal and Company Secretary for Newsquest Media Group Limited.

1.3 The nature of the Regulated Entity

Newsquest Media Group is a significant UK publisher in print and online, employing approximately 3,500 staff and some 10,000 people carrying out home deliveries. The Group embraces more than 200 local news brands and magazines across the geographical length and breadth of the UK, from Enniskillen in Northern Ireland to Glasgow in Scotland, across to Darlington and York in the North and Southampton in the South of England. The communities we serve are culturally as well as geographically diverse and range from challenging urban centres to scattered rural populations. Online technology has opened access to our titles for a vast and growing news-hungry audience of at least 28 million readers every month, while a loyal corps of 6 million print readers each week proves that there is plenty of life in traditional newspapers yet.

The Group has been expanding vigorously in 2017, acquiring firstly the *Isle of Wight County Press* and on the northern Welsh borders a group of a dozen weekly titles based around *The Leader*, the newspaper of record for Wrexham and Flintshire. That means in 2017 there were 20 daily titles in the Group, among them the proud Scottish voices of *The Herald* and *The National* in Glasgow and the roaring online success of *The Press* in York, where 75% of the local population were visiting its digital pages at least once a week in 2017. The further acquisition of CN Group, based in Cumbria, is in the offing for 2018.

Newsquest publications are delivered in print and electronically online, via websites and social media and in versions adapted for mobile telephones and other portable devices, as well as in digital facsimile and feeds to third party electronic databases. In addition to free newspapers and the paid-for dailies, there are 85 paid-for weekly newspapers. And Newsquest operates a network of more than 170 independently audited local newspaper and portal websites.

The Group's titles reflect the entire history of the free press in the UK. *The Northern Echo* in Darlington was in its 19th century heyday undoubtedly one of the best known newspapers in Europe under its legendary campaigning editor, William Stead. (Not one to go quietly, he went down with the Titanic). But the Group finds its origins long before that with *Berrow's Worcester Journal*, believed to be the oldest surviving newspaper in the world. It was first published in 1690, just as the Crown was giving up government licensing of newspapers. More than 300 years later, we are still innovating and shaping our future under voluntary regulation by IPSO. We remain conscious of our inheritance and do our best in a challenging world to maintain the principles and standards set by the independent founders of the titles we now publish.

Each year Newsquest's commitment to the communities it serves is expressed through a programme of charitable grants from the Gannett Foundation UK in support of local causes. Around £300,000 was distributed in 2017. Charities for the disabled, sick or homeless commanded their usual share, but there were other headlines too. Winter climbers in the Lake District will be safer after a £10,000 grant through the *Westmorland Gazette* enabled Kendal Mountain Search and Rescue to complete the fund-raising for their sophisticated new all-weather control vehicle. And there was another £10,000 contribution through *The Northern Echo* to help people with other mountains to climb: the East Cleveland Youth Housing Trust have got the new van they need to transport youngsters to training and employment opportunities in the construction industry.

In each annual statement, we highlight one of our regional titles to give a flavour of the range and diversity of our business. This year Alan Marriott, Editor now Publisher of the newly acquired *Isle of Wight County Press* sums up its role on an island steeped in its sea-faring past, where many still resist the building of a bridge or tunnel to the mainland:

- *The Isle of Wight is said to be like England was 50 years ago. I am not sure I would agree but there is still a huge sense of community here on the Island which is absolutely crucial to the success of the Isle of Wight County Press.*

We sell 20,000-plus copies each Friday and while that doesn't make us world-class journalists, I hope it shows how in tune we are with this tight-knit Island.

Four pages of family announcements each week are just one indicator of how key the County Press is to the people here, and it is often referred to as the "Island's Bible".

In addition to its regional weekly and daily news titles, Newsquest publishes a wide variety of occasional and periodical local magazines and supplements, as well as specialist national and international publications covering finance, sport and music, such as *Insurance Times*, *Boxing News* and *The Strad* magazine, each one a respected authority among the niche audience it serves. Group companies also organise conferences, exhibitions and other events locally and overseas and operate specialist online advertising services for jobs, motors and property, including *S1* in Scotland and the world-famous brand *Exchange & Mart*.

The Group operates five presses, located in Glasgow, Oxford, Weymouth, Southampton and Deeside. As well as printing Newsquest titles, the presses provide contract printing services to business and the public sector. *Newsquest Direct* offers specialist marketing services and delivery of marketing materials door-to-door. Many newspapers and magazines also organise exhibitions, fairs, competitions and other events in their local communities.

The registered office of Group companies is at Loudwater Mill in High Wycombe. Newsquest's ultimate holding company in the UK is Gannett U.K Limited, which is a wholly-owned subsidiary of

Gannett Co., Inc, a US company listed on the New York stock exchange. Gannett is itself a leading media and marketing company in the US with titles across 34 states. It also publishes the quintessential American national daily, *USA Today*, still with 2.4 million readers in print. Online, Gannett commands an impressive 110 million unique visitors to its digital content every month.

2. Copies of internal manuals, codes or guidance used by journalists

Newsquest issues policies on many matters relevant to the work of its employees, including for instance a policy on commercial ethics. For the purposes of this statement to IPSO, we attach at Appendix 2 internal guidance entitled “Principles of Ethical Newsgathering”, which is specific to the work of journalists. It is of many years standing and borrows from the experiences of our colleagues in the US. It is guidance only and has no binding effect, but we use it to help journalists to follow the Editors’ Code and good practice generally. Separate guidance on legal and regulatory matters is issued by Newsquest Legal from time to time. In 2017, we have been gearing up for the evolution of data protection regulation in the UK through the General Data Protection Regulations, which are due to come into force in May 2018. While preserving the rights of a free press, GDPR will require us to build into our editorial processes a greatly heightened consciousness of our obligations of information privacy.

3. The compliance process

Newsquest titles advertise their adherence to the Editors’ Code (online and on an inner news page in print) and publish a complaints procedure by which any reader may claim breach of the Code by email or post. Complaints are handled personally by Editors, Group Editors (in charge of a series of titles) or Digital Content Editors (in the case of online story complaints). Subject to any relevant internal advisory policies, our complaints handlers are not restricted in their conduct of the process or the discretion they may use. Flexibility is encouraged in order to achieve a resolution. If agreement cannot be achieved or has not been achieved within 28 days, complainants are reminded of their right to take the matter to IPSO. Legal claims are referred to Newsquest Legal. Published corrections and apologies, fresh stories, follow-ups, published letters, deletions or annotations to archived online stories, private letters and personal meetings are some of the various resolutions which might be offered. However, an Editor will stand firm if he or she is confident that a story is justified under the law and the Code. An Oversight Committee will consider from time to time matters relating to standards and the Code across the Newsquest Media Group.

3.1 Pre-publication guidance (Regulation 4.5)

Newsquest editors are generally receptive to non-binding pre-publication discussions with IPSO where a person affected by a proposed story has raised concerns. And IPSO rulings are frequently consulted as helpful precedents. On the other hand, except for points of Code interpretation, a strong attachment to editorial independence would make local newspapers less likely to make a pre-publication approach to IPSO themselves, especially as IPSO might ultimately be judge in the same cause at a later date. However, not much discussed is the wider role that IPSO serves as peacemaker on a daily basis, even where no issue arises under the Editors’ Code. There were occasions in 2017 when readers contacted IPSO with concerns about the effect of publicity, typically in relation to a child or other vulnerable person. In these circumstances, IPSO will engage with editors to find a practical and balanced solution wherever possible. These ‘off-book’ transactions go mostly unrecorded and unnoticed by the public, and yet they are in many ways central to the idea of voluntary self-regulation.

3.2 Verification of stories

As alarm spread through 2017 over the phenomenon of “fake news” propagated on social media and fly-by-night weblogs, Newsquest Media Group joined 24 other UK regional publishers to promote the authority of our newspaper titles, which in turn depends on the accuracy of our output as governed by the Editor’s Code and IPSO.

Newsquest Media Group CEO Henry Faure Walker said:

“The crisis of confidence in the national digital advertising market continues, with advertisers increasingly exposed and worried about the dangers of blind programmatic ad buying which is placing household brands next to extremist content and fake news. Google and Facebook are keen to apologise but they don’t have credible answers.

“Our content is produced by highly skilled local journalists, it is regulated, it relies on human judgement and discretion as opposed to blind algorithms, and it reaches and engages millions of people in communities throughout the UK. As a result, our advertising environment is trusted, safe and highly responsive.

“What’s more, advertising in local news brands continues to fund much needed high quality journalism across the UK. We hope that ad agencies and national advertisers will better recognise the value we provide and will agree that local news brands are worth standing up for”.

We want to be trusted by our readers and we realise that trust has to be earned. Newsquest’s approach to verification is discussed variously in the Newsquest guidance entitled “Principles of Ethical Newsgathering” at Appendix 2.

If journalism is the first draft of history, then it is necessarily a rough draft, written very often against obstructions (deliberate or otherwise) and the pressure of deadlines. We welcome interaction with our readers because it is in co-operation with them that the full story may be revealed.

3.3 Compliance with the Editors’ Code

IPSO subjects the complaints it receives to an initial review and may reject a complaint at this stage if it does not disclose a potential breach of the Code. If IPSO considers that a complaint may involve a breach of Code it is referred for investigation. If it is not then resolved by mediation, it will be passed to the Complaints Committee for adjudication. On an adverse finding, the newspaper is required to publish the detailed adjudication both in print and online.

There were 24 cases investigated by IPSO in respect of Newsquest Media Group titles in 2017, exactly in line with the same number in 2016. Seventeen of them were referred to the Committee. Three complaints were upheld, again the same level as 2016. No breach was found in any of the remaining fourteen cases. Seven complaints were resolved by IPSO mediation.

We review the three adverse findings below.

Because of the number of titles published by Newsquest, and therefore the number of different stories, the potential number of complainants (at least from among the subjects of those stories) is far greater than would be the case, for instance, for a publisher producing a single national newspaper. In addition to complaints taken to IPSO, Newsquest Media Group titles receive many more comments, complaints and legal claims of all kinds (and occasionally words of thanks or support too). These are dealt with by Editors using their general discretion and, with legal claims, advice from Newsquest Media Group Legal. We are also backed by external solicitors as and when needed, principally Levy & McRae in Scotland and Foot Anstey in England & Wales.

Midlands & South Wales

Two referrals were made in the Midlands, against the *Oxford Mail* and the *Worcester News*. Neither was upheld. Another complaint, made against the *South Wales Argus*, was resolved by mediation before referral.

Newsquest Specialist Media

No referrals or mediated resolutions.

North East

One referral relating to *The Telegraph & Argus* in Bradford; it was not upheld. There was one mediated resolution, also involving the T&A.

North West & North Wales

One referral was made against *The Bolton News* and it was not upheld. Another referral relating to a complaint against the *North Wales Pioneer* was also rejected by the Committee. There was a mediated resolution to a complaint against the *Wrexham Leader*.

Northern Ireland

No referrals or mediated resolutions.

Scotland

There were three referrals in Glasgow, one against *The Herald* and one against the *Sunday Herald*, neither of which was upheld. The third, against Glasgow's *Evening Times* was upheld and it involved a failure to take care to protect the identity of a victim of sex crime. The same story was run in the *Paisley Gazette*, and therefore it too suffered an adverse ruling and was required to publish the detailed adjudication,

South East

Three complaints under the Editors' Code were referred to the Committee and one was upheld, against *The Argus* in Brighton (under clause 1 of the Editors' Code, accuracy). Complaints against *Your Local Guardian* and *Dartford & Swanley News Shopper* were not upheld. IPSO mediation resolved three other complaints without need for referral; these were made against *The Argus*, *Lewisham & Catford News Shopper* and the *Southend Echo*.

South & South West

Three complaints, two against the *Bucks Free Press* and one against the *Daily Echo* in Southampton, were referred to the Committee and none was upheld. IPSO mediation resolved three other complaints; two of those were made against the *Bournemouth Echo* and one against the *Dorset Echo*.

3.5 Editorial training

All trainee journalists are entered for the National Journalism Qualification from the National Council for the Training of Journalists. An external trainer prepares trainees for the qualification, tutoring approximately 50 young journalists during the year. Each course contains an introduction to IPSO, including case studies. In addition, the trainees undertake three practical tests in which they are asked to consider scenarios that might involve breaches of the Editors' Code. Each clause of the Code is explained and discussed, using real-life examples. Trainees are also issued with pocket-sized

versions of the up-to-date version of the Code for them to carry at all times. Trainees are reminded they have access to advice from Newsquest Legal, and they are also encouraged to use guidance such as “Reporting Restrictions in the Criminal Courts” from the Judicial College and of course McNae’s “Essential Law for Journalists”, as well as the “Principles of Ethical Newsgathering”, mentioned above.

Newsquest Legal provides in-house editorial training for Newsquest regions as time allows during the year, covering primarily legal matters, but also briefing on the work of IPSO and compliance with the Editor’s Code. Journalists are encouraged to read the editorial section of the Group legal report, which covers IPSO adjudications as well as news of legal matters. External trainers are commissioned, as each region may determine necessary, to deliver media law refresher seminars to senior journalists. Workloads prevented NMG Legal carrying out general legal and IPSO refreshers in 2017 and a renewed effort is due in 2018, starting at *The Argus* in Brighton. However, presentations were given around the Group on copyright compliance through the year.

4. Steps taken in response to adverse adjudications

Review of upheld complaints:

Brighton & Hove City Council v The Argus, Brighton:

The Council lodged a complaint after *The Argus* published a claim that council officials had acted “inhumanely” by evicting rough sleepers from their tents with ten minutes warning in the early hours in freezing weather on New Year’s Day, while also threatening to throw away what belongings they had. The Council said it had not been given sufficient detail of the allegations or time to investigate before publication. While the story was based on a credible source, IPSO found that *The Argus* had not taken care to avoid inaccuracy because it had failed to put the full detail of the claims to the Council and its story had given the misleading impression that the Council accepted the eviction had taken place. A subsequent published correction fell short because it still did not explain the Council’s position that it always acted appropriately – and not as described – when moving people on.

Our conclusions:

After an internal review, The Argus accepts and regrets that it failed at two levels. Firstly, it is always a vital part of any journalistic inquiry to put the full detail of allegations to the persons accused and then listen to their answers carefully. After all, they are ultimately the ones most able to shed the light if their co-operation can be engaged. Journalists who are less than thorough are doing an injustice to the subject of the story and a disservice to themselves and the newspaper. Secondly, the newspaper’s error was compounded by another failure to hear and understand the complaint properly before rushing into a perfunctory correction. No editor should be afraid of admitting error. And good complaints handling is essential to maintain trust in the newspaper and the profession.

A Man v Evening Times, Glasgow and The Paisley Gazette

Complaints were made by the same person to two Newsquest Herald & Times publications in Scotland which carried the same story, a court report from a freelance journalist. Similar complaints were made to a number of other newspapers under different publishers about the same report. The report itself was an accurate account of the criminal proceedings, which related to historical child sex offences. However, it fell foul of the Code provision (clause 11) requiring publishers to avoid any information “likely to contribute” to the identification of a victim of a sex offence. Although there was no evidence that the victim had actually been identified, IPSO concluded that the story

contained a nexus of detail which could have enabled a group of people who knew the defendant well enough to identify a particular person as the victim of the offences.

Our conclusions:

The provisions in law in England and Wales and in the Editors' Code giving anonymity to victims of sex offences are very important. It is interesting to note that there is no statutory equivalent in Scotland and the anonymity of rape and other sex victims in law depends on a convention and its enforcement as a form of contempt.

The finding by IPSO raises issues both for freelances and for in-house journalists subbing their copy. It is a priority that all freelances commissioned by or submitting material to Newsquest Media Group titles understand their contractual obligation to abide by the Code – and also understand the Code itself. Consideration is being given to drawing in more freelances to legal refresher days.

Deciding how much material can be kept in a detailed court report of a sex case so as to convey the essential facts without risking the identification of a victim can be one of the most difficult subbing tasks of all. Judgments may be finely balanced. The Group's guidance now is to leave it out if in doubt, or else consider applying to the court to exercise its statutory powers to relax the restrictions where it is in the public interest to do because they create a substantial and unreasonable restriction on reporting.

Since the finding, the Code provision has been revised to bring it into line with the provisions in statute law in England & Wales, specifically section 1 of the Sexual Offences (Amendment) Act 1992, which prohibits publication of details "likely to identify" a person as a victim of a sex offence. This revision is welcomed as the removal of a cause of potential confusion.

Those titles receiving adverse adjudications automatically examine their editorial processes, in particular to determine how errors might be avoided in the future. Newsquest Legal seminars in 2018 will raise the adverse adjudications from last year and invite discussion on various thorny issues of editorial judgment. More guidance will be added to Newsquest Legal's area of the Group intranet.

"Off book" complaints

We try to learn from all the comments we get from readers that do not turn into IPSO complaints, and from those IPSO complaints that are not upheld or ones where a resolution is mediated, just as much as we do from those that are upheld.

- In 2017, we noted among these "off-book" dealings (as in previous years) the sensitivity of relatives to the coverage of inquests. It is an uncomfortable but recurring task of an editor to explain the importance of open reporting in the face of a family's grief. Strict accuracy becomes especially important.
- Another noticeable trend in 2017 was an increasing number of complaints from political parties and politicians (current and former) at all levels, but particularly district and parish councils. Stretched resources and therefore reduced coverage of local authorities by the regional press may partly explain it, but the collaboration between regional newspaper publishers and the BBC announced in 2017 to appoint dozens of local political correspondents whose output will be shared should go some way to redress this problem and perhaps improve relations with our elected representatives.

- Demands for erasure from the online archives of court reports of past criminal convictions continue to grow. And Newsquest Media Group continues to resist these claims. The archives are a vital local historical record (often the only coherent local record) and we take the view that re-writing history is a dangerous path to take for any democratic society.
- Social media are an exponentially growing means of information distribution. Our newspapers publish to new and wider audiences through Facebook and Twitter, bringing fresh opportunities but also fresh complaints. We are only the hosts of the comments posted by readers on social media, including the comments pages on our websites, not the publishers. We do not pre-select or edit the material and we do not accept legal liability for it. The contributors themselves must take liability for the information they upload. However, we accept that we cannot - and we do not - shirk a general responsibility to take what measures we reasonably can to deal with the disruptive minority who abuse the facility. IPSO has jurisdiction over the social media pages and expects us to take care. We operate user terms and an acceptable use policy. We provide a “report this post” link on all comments on our websites and we provide a means of reporting issues about Facebook and Twitter posts, notwithstanding that the primary duty must fall on Facebook and Twitter themselves. While we do not monitor posts, we will be proactive in responding to issues when they are brought to our attention. At our discretion, we may amend or delete comments or suspend discussion threads. We may warn users who break our rules or ban persistent offenders. In serious cases, we may pass details to the police or to solicitors for the complainants. In 2017 we have worked co-operatively with the courts to address concerns about the effects of disruptive social media upon the administration of justice.

Legal claims in 2017

If we realise we have made a serious mistake and a legal claim is threatened we are likely to seek settlement on a sensible basis. The risk of costs is a constant worry in a legal regime which publishers feel is heavily weighted against them, but where we are confident that we have a good defence to a claim, we will defend it. From time to time legal proceedings are issued against us and become a matter of public record. In 2017, we settled out of court a claim against the *Bournemouth Echo* relating to information (mistaken as it turned out) which had been propagated on social media alleging that a man had “snatched” from a young boy a football shirt after it was thrown into the crowd by one of the players at the end of a match. Last year also saw the culmination at the Supreme Court of a five-year legal battle with Mr Tariq Khuja, who had sought a privacy injunction against Newsquest and the national publisher, Times Newspapers, to prevent publication of references to him in evidence during a trial at the Old Bailey, although he was not a defendant. In this important case reaffirming the principle of open justice, Newsquest and the Times won at each stage – in the High Court, Court of Appeal and Supreme Court - and recovered their legal costs in doing so from the claimant. A small number of minor claims were struck out on our application in 2017, but two other claims were issued against Newsquest titles which continue to be defended vigorously: one from Mr Andrew Reid, a lawyer and farmer, who claims against the *Oxford Mail* in relation to coverage of a dispute over rights of public access to land on his Oxfordshire estate; and in Scotland from Mr John Park, who claims against *The National* newspaper over a report about an internal dispute at the socialist political party Solidarity, where he is a senior figure.