

A rebuttal of Hacked Off's 'unmasked' pamphlet

This document sets out the regulatory action taken in relation to the complaints outlined in the above pamphlet¹, and corrects inaccuracies about IPSO's standards investigations process and independence.

"Tower Hamlets foster care story"

IPSO investigated a complaint from Tower Hamlets Borough Council about this article.

There are good reasons why we would not take forward complaints from third parties in such cases. Members of the public and others who are unconnected with a story do not know how the subject or their representative, in this case a vulnerable child, feels about the coverage or about making a complaint; nor, in the case of complex child custody arrangements, are they in a position to have access to information which would allow us to investigate any complaint thoroughly or know what the affected party might consider to be a suitable outcome to any complaint.

Tower Hamlets Borough Council was the child's custodial parent at the time the complaint was made, and the only party in a proper position to make decisions about what was in the best interests of the child involved and to dispute any points of accuracy. The complaint they chose to make was specifically in relation to their role in the legal proceedings.

IPSO's Complaints Committee found the Times had failed to take care not to publish distorted information in relation to the legal proceedings, in breach of Clause 1 (i) of the Editors' Code. The newspaper made no proposals to correct this distortion, in breach of Clause 1 (ii) of the Code. The complaint was upheld, and the Times was ordered to publish a full adjudication, the Committee's most serious sanction.

The article was the main piece on the paper's front page, and continued onto page 6. Although it contained a distortion, it remained an accurate account of the outcome of the judge's decision. Taking this into account, the Committee decided that the adjudication should be published in full on page 6 of the newspaper, or further forward, and that it should also be published on the publication's website, with a link to the full adjudication (including the headline) appearing in the top 50% of stories on

¹ Cathcart, B. and French, P. (2019) *Unmasked: Andrew Norfolk, The Times Newspaper and Anti-Muslim Reporting*. Available at https://hackinginquiry.org/wp-content/uploads/2019/06/Norfolk_Report_Unmasked.pdf [accessed June 2019].

the publication's website for 24 hours. The Times fully complied with IPSO's ruling and also chose to include a reference to the adjudication on its front page.

"Just Yorkshire story"

IPSO investigated a complaint from Just Yorkshire about a series of articles in the Times reporting on criticism and received by Sarah Champion MP following an opinion piece on the sexual abuse of girls in her constituency. Just Yorkshire said the Times articles had given the misleading impression that publication of Champion's piece had led to death threats against her.

IPSO's Complaints Committee found the Times failed to take care over accuracy in the first article in the series, in breach of Clause 1(i) of the Code, and a correction was required. The Times accepted that while Ms Champion's security protection had increased as a result of the report's publication, the death threats made against her since the publication of the Just Yorkshire article were not directly linked. It corrected the online version of the first article accordingly and offered to do the same in print. The wording made clear the correct position that no death threats made at that time were attributable to the Just Yorkshire report. The Committee considered that the publication of this wording in the newspaper's established Corrections and Clarifications column, as well as online, represented due prominence.

"Rotherham Council and the Rapist"

IPSO did not receive any complaints in relation to this article.

IPSO's complaints process and standards investigations

IPSO's complaints process is separate from its standards investigations process. The complaints process looks at alleged breaches of the Editors' Code, which is the set of rules our member publications must abide by.

Every complaint we receive is dealt with thoroughly, which is why it can take time to reach a resolution. This is especially so with complex cases, rather than disputes over simple points of fact.

When a complaint is upheld by the Complaints Committee, there a number of factors to consider when deciding on the remedy. These factors include: the seriousness of the breach of the Code; the position of the breach within the publication; the prominence of the breach within the article; and the public interest in remedying the breach.

IPSO's standards investigations deal with serious concerns about the behavior or actions of one or more of its members. IPSO's Board makes the decision about whether or not to launch a standards investigation after looking at information gathered by staff on complaints, the whistleblowing hotline and members of the public.

IPSO may require that a standards investigation takes place where:

- there may have been serious and systemic breaches of the Editors' Code
- there has been one or more failure or failures to comply with the requirements of the Board
- an annual statement identifies significant issues of concern either in relation to a single incident or a pattern of significant, serial or widespread breaches of the Editors' Code
- statutory authority reports identify substantial Editors' Code compliance issues
- in exceptional circumstances, IPSO reasonably considers that an investigation is desirable because substantial legal issues or Editors' Code compliance issues are raised.

IPSO can impose one or more of the following sanctions if it decides that the concerns are sufficiently serious:

- publish an adjudication, which may include a requirement to address the concerns raised
- impose a fine on the member(s) of up to £1 million
- require the member(s) to pay the reasonable costs of the investigation
- require a publisher to submit a quarterly statement for an agreed period
- terminate the members(s) membership of IPSO.

In 2016, Sir Joseph Pilling conducted a review into the effectiveness of IPSO. On carrying out Standards Investigations, [he said](#):

Those opposed to IPSO are often of the view that the fact that IPSO has not yet launched a standards investigation is evidence that it has failed to regulate the press. Given the significance of a standards investigation IPSO ought not to feel under pressure to launch one. It would be a serious mistake to launch a standards investigation on relatively flimsy grounds. It ought to be exceptional.
(pg. 29)

We also have a broader commitment to press standards which goes far beyond complaints handling. We use knowledge and data from daily work with complaints, wide monitoring of the media landscape and engagement with groups interested in coverage of particular issues to track patterns and identify areas of potential concern to provide targeted interventions to raise press standards.

About IPSO

Our system of voluntary independent self-regulation underpinned by legally enforceable contracts makes us completely independent of government, politicians, our member publishers, or any one wealthy individual.²

- We are funded by our members via an arms-length body, the Regulatory Funding Company, which raises a levy on publishers, to ensure our complete

² See https://www.ipso.co.uk/media/1325/ipso_review.pdf

independence. We have an agreed five-year budget which ensures our financial freedom. The RFC have no involvement in our regulatory work.

- As a self-regulator it is important that we benefit from the experience of the industry as well as others. Our Board and Committee include industry members but none of them are serving editors. They do not have a veto over our work.
- IPSO's Chairman and Chief Executive are members of the Editors' Code Committee, which also has independent lay members, all of whom have a say over any Code changes. Any changes to the Code must be approved by the Code Committee and the Board of IPSO, which has a lay majority.

IPSO protects the public by holding newspapers and magazines to account for their actions, protecting individual rights, upholding high standards of journalism and helping to maintain freedom of expression. IPSO strongly rejects any accusation that it is complicit in the demonisation of Muslims and other minority groups across the UK.