
MINUTES of the COMPLAINTS COMMITTEE MEETING
Wednesday 29th March at 10.30am
Gate House

Present

Lord Edward Faulks
Nazir Afzal (*remotely*)
Andy Brennan (*remotely*)
Will Gore
David Hutton
Helyn Mensah (*remotely*)
Asmita Naik
Mark Payton
Andrew Pettie
Allan Rennie (*remotely*)
Miranda Winram (*remotely*)

In attendance:

Charlotte Dewar, Chief Executive
Emily Houlston-Jones, Senior Complaints Officer
Michelle Kuhler, PA minute taker (*remotely*)

Also present: Members of the Executive:

Sarah Colbey
John Davidson
Jane Debois
Rosemary Douce (*remotely*)
Tom Glover (*remotely*)
Alice Gould
Natalie Johnson
Dr Beth Kitson (*remotely*)
Molly Richards

Observers:

Shrenik Davda, Board member (*remotely*)
Jonathan Grun, Editors Code of Practice
Kavita Reddi, Board member

1. Apologies for Absence and Welcomes

Apologies were received from Alastair Machray and Robert Morrison.

2. Declarations of Interest

Declarations of interest were received from Alastair Machray, who did not attend the meeting.

3. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 7 March 2023.

4. Matters arising

There were no matters arising.

5. Update by the Chairman – oral

The report by IPSO's independent reviewer, Sir Bill Jeffrey, has been finalised. It will be distributed to all Committee members and staff later in the week.

6. Complaints update by the Head of Complaints – Oral

The Chief Executive gave an overview of an interesting and important case sent through in the weekly papers (Tuesday), received from Women's Aid, she informed the Committee that IPSO had contacted the people directly concerned and we would now move this forward. If any members needed more time to consider the complaint they should let the executive know.

7. Complaint 18626-22 The Fawcett Society and The WILDE Foundation v The Sun

The Committee discussed the complaint and ruled it should be partially upheld as a breach of Clause 12 (Discrimination) because it contained a pejorative and prejudicial reference to a woman's sex. **A copy of the ruling appears in Appendix A.**

8. Any other business

There was no other business.

9. Date of next meeting

The date of the next meeting was subsequently confirmed as Tuesday 25th April 2023.

APPENDIX A

Decision of the Complaints Committee – 18626-22 The Fawcett Society and The WILDE Foundation v The Sun

Summary of Complaint

1. The Fawcett Society and The WILDE Foundation complained to the Independent Press Standards Organisation that The Sun breached Clause 1 (Accuracy), Clause 3 (Harassment), and Clause 12 (Discrimination) in an article headlined “One day, Harold the glove puppet will tell the truth about A Woman Talking Bollocks”, published on 17 December 2022.
2. The article also appeared online in substantially the same format, under the headline “One day, Harold the glove puppet will tell the truth about A Woman Talking B*****ks”. This version of the article was published on 16 December 2022.
3. IPSO’s Regulations allow it to consider complaints from representative groups – i.e., a body or an organisation representing a group of people who have been affected by an alleged breach of the Code – where the alleged breach of the Code is significant and there is a substantial public interest in IPSO considering the complaint.
4. IPSO’s Complaints Committee decided that the complainants represented groups of people who had been affected by the alleged breach of the Code; that the alleged breach was significant; and that there was a substantial public interest in IPSO considering the complaint. The Duchess of Sussex was provided with an opportunity to comment; she indicated that she did not have any opposition to IPSO considering a complaint from the representative groups, and IPSO also took that position into account. Having considered all these factors, IPSO began an investigation into whether either complaint raised a breach of the Code.
5. The article was an opinion piece, written by one of the newspaper’s regular columnists, setting out his views on the Duke and Duchess of Sussex. The article said the following about the Duchess of Sussex:

“I hate her. Not like I hate Nicola Sturgeon or Rose West. I hate her on a cellular level.

“At night, I’m unable to sleep as I lie there, grinding my teeth and dreaming of the day when she is made to parade naked through the streets of every town in Britain while the crowds chant, “Shame!” and throw lumps of excrement at her.”

6. It also included comments about the Duchess and her relationship with her husband:

“Along came Meghan, who obviously used some vivid bedroom promises to turn him into a warrior of woke. And now it seems she has her arm so far up his bottom, she can use her fingers to alter his facial expressions.”

7. The article then said that “younger people, especially girls, think she’s pretty cool. They think she was a prisoner of Buckingham Palace, forced to talk about nothing but embroidery and kittens”.

8. Prior to the start of IPSO’s investigation, on 19 December 2022, the publication removed the online version of the article; it was replaced with an article consisting of the headline “In light of [columnist’s] tweet he has asked us to take last week’s column down” and a screenshot of a tweet from the columnist, which said as follows:

“Oh dear. I’ve rather put my foot in it. In a column I wrote about Meghan, I made a clumsy reference to a scene in Game of Thrones and this has gone down badly with a great many people. I’m horrified to have caused this much hurt and I shall be more careful in the future.”

9. The newspaper’s publisher, News UK, also issued a statement on its website about the article on 23 December 2022. The statement said as follows:

“In The Sun on December 17, [the columnist] wrote a comment article about the Duchess of Sussex. It provoked a strong response and led to a large number of complaints to IPSO, the independent press regulator.

In a tweet last week, [the columnist] said he had made a ‘clumsy reference to a scene in Game of Thrones’, which had ‘gone down badly with a great many people’ and he was ‘horrified to have caused so much hurt’. He also said he will be more careful in future.

Columnists’ opinions are their own, but as a publisher, we realise that with free expression comes responsibility.

We at The Sun regret the publication of this article and we are sincerely sorry.

The article has been removed from our website and archives. The Sun has a proud history of campaigning, from Help for Heroes to Jabs Army and Who Cares Wins, and over 50 years of working in partnership with charities, our campaigns have helped change Britain for the better.

Working with our readers, The Sun has helped to bring about new legislation on domestic abuse, provided beds in refuges, closed harmful

loopholes in the law and empowered survivors of abuse to come forward and seek help.

We will continue to campaign for good causes on behalf of our readers in 2023."

The same wording appeared in print on page 6 of the newspaper's Christmas Eve edition.

10. The Fawcett Society, a gender equality charity, made a complaint to IPSO about the article. It complained in its capacity as "an organisation that represents women and campaigns for women's rights". It further noted that it had "over 3000 members and over 17,000 supporters, on behalf of whom" the complaint was made.

11. The Fawcett Society said that the article breached Clause 12 (Discrimination) and Clause 3 (Harassment) of the Editors' Code of Practice. It said that Clause 12 had been breached because "[t]he acts described by the author in his column and the language used is inherently misogynistic and sexualised, pointing to gender-based discrimination". It further noted that the article included what it believed to be "references to methods historically used to punish and publicly shame women", which it said was "further evidence that this column is promoting hate towards women".

12. The Fawcett Society also said that the references to the Duchess of Sussex using "vivid bedroom promises to turn [the Duke of Sussex] into a warrior of woke" and the Duke being a "glove puppet" of the Duchess were sexist; it noted its view that this language would not have been used in reference to a man and that there were "racial connotations" associated with the idea of the Duchess having turned her husband "into a warrior of woke".

13. It also said that the article breached Clause 3 (Harassment), as it believed the reference to the writer dreaming of the Duchess being "made to parade naked through the streets of every town in Britain while the crowds chant, 'Shame!' and throw lumps of excrement at her" represented intimidation and harassment. It noted in this context the "very real life threats to life that the Duchess has faced" and said the article described a fantasy of a violent act against her.

14. The WILDE Foundation, a charity supporting women and girls who are survivors of domestic abuse, made a separate complaint about the article. It said that it had been asked to complain on behalf of its service users, as they felt that the article "allowed, perpetrated, and promoted [violence] toward a woman". It said that the article breached Clause 12 (Discrimination), Clause 3 (Harassment), and Clause 1 (Accuracy).

15. The WILDE Foundation said that the article included sexualised language about the Duchess of Sussex – referring to her using "vivid bedroom promises",

to having “her arm so far up [the Duke’s] bottom she can use her fingers to alter his facial expressions”, and to being “pictured [...] on the back of a playboy’s superyacht” – which it said invoked racially-charged tropes in which black women are sexually objectified more than white women.

16. The Wilde Foundation also considered that the writer’s statement that he “hate[d the Duchess] on a cellular level” was hateful towards the Duchess in breach of Clause 3 (Harassment). It further said that the article breached Clause 1 (Accuracy), as the claim that “younger people, especially girls, [...] think she was a prisoner of Buckingham Palace, forced to talk about nothing but embroidery and kittens” was conjecture, but was not distinguished as such. It also said that this statement was patronising to young people and demonstrated that the writer did not understand young women.

17. In its response to IPSO’s first set of investigation questions, the newspaper said that the article had fallen short of its high editorial standards and should not have been published. It said that it had already removed the column prior to being contacted by IPSO, after a request from the columnist to do so, and had apologised – again, prior to being contacted by IPSO. However, it did not accept that the article breached the Editors’ Code. The newspaper said that, while it had ultimately reached the decision to remove the article and apologise, the concerns raised by the complainants were a matter of “taste and judgment” – rather than a case where the Editors’ Code had been breached. It considered that the matter had already been dealt with effectively “as a matter of taste, not one of regulation”, noting its position that “matters of subjective taste are not for the Code”.

18. Turning to the specific alleged breaches of the Code, the newspaper first noted the context of the column: it was written by a polemicist known for employing hyperbolic language and imagery. The column expressed the writer’s anger over the actions of the Duke and Duchess of Sussex, and that he believed the Duke had been “led astray by his driven and determined wife”. It said that “an objective and reasonable reader” would understand that the anger of the writer was based on the actions and conduct of the Duke and Duchess of Sussex, and that it was not an attack on the Duchess based on her sex and race, emphasising that there were no references at all to the Duchess’ race or gender in the article. It said that the complainants were entitled to hold the view that the criticism was underpinned by racist or sexist biases and that it would “strongly defend” the right of the two organisations to express that view. However, it denied that this was the case and argued that IPSO could only make its decision based on the plain-meaning of the words, rather than by making assumptions about the writer’s motivation – which, it said, would veer into making a decision based on “psychic divination”.

19. The newspaper also said that the framing of Clause 12 was “deliberately narrow”, and that there was no scope within its terms for the regulation of decency, taste, or offence – which are matters reserved for the judgement of the Editor. It said that its terms must be read to mean that a reasonable reader

would understand the phrases or words under complaint to be a comment on or about the characteristic in question – such as their sex or race – and that this requirement should be interpreted narrowly so that a comment “perceived to be critical or derogatory in connection with a protected characteristic” would not qualify as a breach of Clause 12. It considered that the complainants had interpreted the Clause too broadly, and that – were IPSO to uphold a complaint on the grounds provided by the complainants – they would be upholding a complaint by applying subjective value judgements held by particular people, rather than applying an objective and clear assessment of what the article under complaint actually said.

20. Turning to the specific phrases identified by the complainants as raising a breach of Clause 12, it did not accept that the idea that a person is controlling, or uses sex to get what they want, was something that people would necessarily associate only with women rather than men. It also did not accept that the reference to the Duchess being “made to parade naked through the streets of every town in Britain while the crowds chant, ‘Shame!’, and throw lumps of excrement at her” was describing a method of punishment historically used to punish and publicly shame women; it said that this was a reference to a fictional scene from a television show. It said that, even if IPSO were to consider that these were gendered references which applied exclusively to women –which it disputed – it did not follow that these phrases were pejorative or prejudicial references to the Duchess’ sex.

21. The publication did not accept that Clause 3 was breached by the article, where the terms of Clause 3 generally relate to the conduct of journalists during the newsgathering process. It also said that the statement identified by the WILDE Foundation as raising a possible breach of Clause 1 was clearly the writer’s comment, rather than a statement of fact that people believed the Duchess of Sussex “was a prisoner of Buckingham Palace forced to talk about nothing but embroidery and kittens”.

22. The complainants said they understood that the Duke and Duchess of Sussex were hugely polarising figures, and they were not seeking to argue that individuals should not have the right to form and express judgements about the actions of public figures. However, they also said that the actions of the Duke and Duchess were irrelevant to the complaint, where their concerns arose from the manner in which these judgements had been expressed, which they considered to be discriminatory and had caused harm to the women and girls they represented.

23. While the complainants acknowledged that the newspaper had publicly apologised for the publication of the article, they did not consider this had gone far enough in remedying the harm caused. Nor did they accept that their complaint was simply a matter of taste or offence, but rather that it was a matter of harassment and discrimination, noting that sexism and racism are widely recognised not as matters of taste but as legitimate areas of regulation and legislation. The complainants said that to not uphold a complaint, should the

article be found to be sexist and racist, would suggest that there are no requirements for newspapers not to be racist and sexist in ways that perpetuate individual and social harm, and that such a finding would make the press a “social outlier”.

24. The complainants further noted that the article compared the writer’s hatred of the Duchess of Sussex with his hatred of two other women: Nicola Sturgeon and Rose West. They considered that this explicitly linked the hatred of one woman to the hatred of other women; the only thing these three women had in common was their sex, and the only black woman mentioned was singled out for a particular hatred, due to her perceived manipulation of a man. They further noted that Prince Harry was not the target of similar references within the article.

25. It was not accepted by the complainants that IPSO should narrowly interpret the terms of Clause 12. They noted that publications are required to comply not only with the letter of the Code, but also with its spirit – therefore, the terms of Clause 12 should be interpreted “reasonably” and in a way that allowed for the sanctioning of discriminatory material.

26. Turning to the specific point raised by the publication that the reference to the Duchess being “made to parade naked through the streets of every town in Britain while the crowds chant, ‘Shame!’, and throw lumps of excrement at her”, they did not accept that this was solely a reference to a fictional scene and therefore not pejorative. It said that the scene within the television show was a direct reference to a public walk of atonement meted out as a punishment to Jane Shore, mistress of King Edward IV; the punishment was used to shame women and break their pride. The complainants said that, even if the publication were unaware of the historical context of the reference, it was worth noting that the television show in question was noted “for sensationalising violence against women and ha[d] been regularly criticised for misogyny and sexism”. They further noted that, to the best of their knowledge, the publication had never published an article encouraging or commenting on a man being made to walk naked through the streets while excrement was thrown at him.

27. The complainants did not dispute that manipulation within relationships was not a uniquely female behaviour. However, they said that what was unique was the media’s negative portrayal of women using sex as a method of control. The Fawcett Society said that this was “precisely what ma[de] these tropes harmful – that they carry a double standard within them that does not match reality. It is by far largely women who are represented in this way and this representation is often used as a reason to excuse the violence that they may experience. Race is an additional dimension here with black women and women of colour often portrayed as using their sexuality to control white men in powerful positions.”

28. The complainants then said that, while the terms of Clause 3 “usually” applied to newsgathering, this did not prohibit the possibility of an article breaching its terms. The complainants reiterated their view that the article was harassing of the Duchess of Sussex.

29. The newspaper reiterated that the criticisms of the Duchess were criticisms of her conduct and not prejudicial comments about her race or sex. It said that the harm which the complainants said the article caused to groups – women and, more specifically, women of colour – was not a proper consideration under Clause 12.

30. IPSO issued its decision to the publication and complainant on 20 April 2023. The publication exercised its right to comment on the remedy required by the Committee. It noted that the decision referenced only the apology published online and, therefore, suggested that no apology had been made by the publication in its print edition. The publication provided a copy of an apology which it had published on page 6 in its print edition on Christmas Eve 2022 – 7 days after the initial article’s publication. The apology used the same wording as the one on the publisher’s corporate website. It had not been provided to the Committee during the investigation and the Committee therefore reconsidered the issue of the prominence of the remedial action in light of this new information, and issued this revised decision.

Relevant Clause Provisions

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 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 sources.

Clause 12 (Discrimination)

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

Relevant IPSO Regulations

Procedure

8. The Regulator may, but is not obliged to, consider complaints: (a) from any person who has been personally and directly affected by the alleged breach of the Editors' Code; or (b) where an alleged breach of the Editors' Code is significant and there is substantial public interest in the Regulator considering the complaint, from a representative group affected by the alleged breach; or (c) from a third party seeking to correct a significant inaccuracy of published information. In the case of third-party complaints the position of the party most closely involved should be taken into account. The Regulator may reject without further investigation complaints which show no prima facie breach of the Editors' Code and/or are without justification (such as an attempt to argue a point of opinion or to lobby) and/or vexatious and/or disproportionate.

Findings of the Committee

31. The Preamble to the Editors' Code emphasises the importance of not interpreting the Code so broadly so that it infringes the fundamental right to freedom of expression. Yet it also recognises the risk that interpreting the Code too narrowly would compromise the protections it is intended to provide.

32. The Editors' Code does not preclude criticism of public figures, even when it might seem mean-spirited or cruel; the columnist was entitled to express a view on the conduct of the Duchess of Sussex. Nor can IPSO consider complaints that an article is tasteless or offensive; the fact that journalism deeply offends or upsets someone does not mean, by itself, that it breaches the Code. However, an article can be offensive or mean-spirited, and also breach the Code. The Code acknowledges that the right to freedom of expression includes the right to shock and challenge, but it also provides protections for individuals from discrimination. The Committee set aside the question of whether the article was offensive; the question was only whether it breached the Code.

33. The Committee first considered the references in the article to the Duchess' sex. It noted that the article's headline described the Duchess as a "A Woman Talking Bollocks". The article cited three people as objects of the columnist's

'hatred': the Duchess of Sussex and two other women, Nicola Sturgeon and Rose West, and the only clear common characteristic between the three was their sex. It highlighted that the Duchess is seen as a female role model (as being "pretty cool") by referring to her influence on "younger people, especially girls", and the feeling of "despair" which this prompted in the columnist. It stated that the Duchess had "obviously used some vivid bedroom promises to turn [the Duke of Sussex] into a warrior of woke", which in the view of the Committee was a reference to stereotypes about women using their sexuality to exert influence, and also implied that it was the Duchess' sexuality – rather than any other attribute or accomplishment – which was the source of her power. Finally, it referred to a "dream" of the columnist in which the Duchess was the subject of humiliation and degradation. Any of these references, individually, might not represent a breach of Clause 12. However, they were employed in the context of the columnist expressing his hatred of the Duchess "on a cellular level" and, together, they served to highlight the Duchess' sex while the article also used humiliating imagery which played on negative stereotypes about women.

34. The Committee found that this was a pejorative and prejudicial reference to the Duchess of Sussex's sex and upheld the complaint of a breach of Clause 12 (i) of the Editors' Code.

35. The Committee next considered the complaint that the article contained prejudicial and pejorative references to the race of the Duchess. The complainants had said that the reference to the Duchess transforming her husband "into a warrior of woke" was a reference to her race, as the phrase referenced anti-racism activism; and that the sexualised language used was an indirect reference to her race, as this invoked racially-charged tropes in which black women are sexually objectified more than white women.

36. The Committee acknowledged the sincerity and strength of the complainants' view that the Duchess had been treated differently because of her race and carefully considered the complaint against the terms of Clause 12. After detailed consideration of the text of the article, including the sexualised language used, it concluded that the phrase "warrior of woke" did not amount to a pejorative reference to her race. The Committee acknowledged that the reference could have connotations beyond the plain meaning of the words. However, the phrase is used in association with a wide range of social issues, not limited to issues concerning race. It therefore did not uphold the complaint under Clause 12 that the article contained pejorative or prejudicial references to the race of the Duchess.

37. The Committee next considered the complaint under Clause 3. In doing so it noted that this complaint related specifically to harassment of the Duchess of Sussex.

38. As it has noted previously, the Committee does not accept that the terms of Clause 3 must relate only to the behaviour of journalists during the newsgathering process; while Clause 3 (ii) makes specific reference to the physical presence and activity of journalists, Clause 3 (i) is broader and says that journalists and publications must not engage in certain behaviours, which include intimidation and harassment.

39. The Committee considered whether the complaints made reached the bar set by Clause 3 (i), based on the evidence before it. While the complainants had mentioned the volume of articles about the Duchess which have been published, this complaint was made about a single article rather than coverage about the Duchess more generally. Where harassment implies a pattern of unwelcome behaviour, the Committee did not consider that the publication of a single article was sufficient to support a breach of Clause 3. In addition, the Committee did not have evidence from the Duchess of how publication of the article had affected her personally. It did not establish a breach of Clause 3.

40. The complainants considered that the article did not distinguish between fact and conjecture, as it stated that “younger people, especially girls [...] think [the Duchess of Sussex] was a prisoner at Buckingham Palace, forced to talk about nothing but embroidery and kittens.” However, the Committee considered that, read in the full context of the article, this was clearly distinguishable as the view of the columnist, expressed in hyperbolic terms, rather than a statement of fact. The Committee considered this to be the case where the comment appeared in a polemical opinion piece, and where it was – on the face of it – clearly not the case that the columnist would know the views and opinions of all young people. For these reasons, the Committee did not consider that the concerns raised by the complainants breached the terms of Clause 1.

Conclusions

41. The complaint was upheld under Clause 12(i).

Remedial action required

42. Having upheld the complaint under Clause 12, the Committee considered the remedial action that was required. Given the nature of the breach, the appropriate remedial action was the publication of an adjudication, which would record the grounds on which the complaint had been upheld.

43. The article appeared both in print and online; therefore, the adjudication should also appear in both formats. In considering where the adjudications should appear in their respective formats, the Committee was mindful of several factors: the nature of the breach, the position of the article within the newspaper and online, the extent to which the Code was breached, and any actions taken by the publication to address the breach.

44. In considering the question of prominence, the Committee had regard to its Regulations, the Editors Code and to IPSO's guidance on prominence. It took into account the seriousness of the breach, the prominence within the article of the breach, and the public interest in remedying the breach. It also took into account the actions taken by the newspaper following the publication of the article.

45. The imagery employed by the columnist was particularly vivid and made the Duchess the subject of humiliation and degradation. The Committee found that this imagery, in combination with the other references in the article which played on negative stereotypes of women, placed the breach of Clause 12 at the more serious end of the spectrum. Further, given the number of complaints received, the Committee considered that drawing attention to the remedy for the breach, namely the publication of an adjudication, was in the public interest.

46. The print version of the article appeared as part of a regular weekly column on page 17, and the breach of Clause 12 arose from a number of references to the Duchess of Sussex which, taken together, the Committee had found represented a pejorative reference to her sex. Those references were distributed throughout the article, including in the headline, and were therefore prominent within the article.

47. The Committee was mindful of the fact that that the publisher and columnist had both apologised for the article and that the publication had expressed regret for the publication of the article. The Committee also took into account that it had published an apology in print for the publication of the article. However, the apology had not been published in a prominent position – appearing on page 6 – and did not address the references to the Duchess' sex in the article which the Committee had found together represented a breach of Clause 12, which the publication had not accepted.

48. Taking these factors into account, the Committee considered that the appropriate location for the adjudication would be on the same page, as part of the same regular weekly column where the original article appeared. The adjudication should appear in a similar size and format to the article under complaint. If this is not possible within a reasonable timescale, the Committee should be consulted about a proposed alternative placement.

49. Front page and front cover corrections are generally reserved for more serious cases, wherever the breach appears in the publication. Due prominence is not the same as equal prominence. The Committee considered carefully the full range of sanctions open to it, including whether the adjudication itself should be published on the front page. However, taking all the relevant considerations into account, the Committee concluded that flagging the print adjudication on the front page, at a size and location to be agreed with IPSO in advance, was an appropriate and proportionate remedy to the breach of Clause 12 (i). This would direct readers to the full adjudication, whilst not taking up disproportionate space on the front page which the Committee acknowledged is valuable editorially.

50. The online version of the article had been removed and replaced by a tweet from the columnist, expressing regret for offense caused by the column. However, as noted above, the website itself did not include any form of acknowledgment or apology on the part of the newspaper for the column – this appeared only on the publisher’s corporate website, and so would not have been visible or easily accessible to the newspaper website’s usual readers. Taking these factors into account, the Committee considered that a link to the stand-alone adjudication should appear on the top-third of the homepage; the link should feature the full headline of the adjudication. This link should appear on the homepage for at least 24 hours; after this time period, the adjudication should be archived onto the same webpage where readers can find the columnist’s articles. If this webpage is removed, the adjudication should remain accessible by being archived in the usual way that website articles are.

51. The headline of both versions of the adjudication must make clear that IPSO has upheld the complaint against The Sun and must refer to its subject matter; they must both be agreed with IPSO in advance. The flag on the front page of the print edition should also refer to IPSO having upheld a complaint against The Sun and be agreed with IPSO in advance.

52. The terms of the adjudication for publication are as follows:

The Fawcett Society and The WILDE Foundation complained to the Independent Press Standards Organisation that The Sun breached Clause 12 (Discrimination) in an article headlined “One day, Harold the glove puppet will tell the truth about A Woman Talking Bollocks”, published on 17 December 2022.

The complaint was upheld, and IPSO required The Sun to publish this adjudication to remedy the breach of the Code.

The article under complaint was written by one of the newspaper’s regular columnists, setting out his views on the Duke and Duchess of Sussex. The article said that the columnist: “hate[d] her on a cellular level”; listed her, Nicola Sturgeon, and Rose West as people that he hated; “dream[t] of the day when” the Duchess would be subject to public punishment; and referred to her using “vivid bedroom promises” on her husband.

The complainants said that Clause 12 had been breached because “[t]he acts described by the author in his column and the language used is inherently misogynistic and sexualised, pointing to gender-based discrimination”, and that the article included what they believed to be “[r]eferences to methods historically used to punish and publicly shame women”. They also said that making references to the hatred of other women linked the hatred of one woman with hatred towards other women.

The newspaper said that the article had fallen short of its high editorial standards, and that it had removed the column, after a request from the columnist to do so, and apologised. However, it did not accept that the article breached the Editors' Code. It said that the concerns raised by the complainants were a matter of "taste and judgment" – rather than a case where the Editors' Code had been breached.

The newspaper also said that the complainants had interpreted the Clause 12 too broadly, and that IPSO should not uphold a complaint by applying subjective value judgments held by particular people.

IPSO noted that The Editors' Code doesn't prevent criticism of public figures, even when it might seem mean-spirited or cruel. However, an article can be offensive or mean-spirited and also breach the Code. The Code protects the right to shock and challenge, but not to discriminate against individuals. IPSO therefore set aside the question of whether the article was offensive. The question was only whether it breached the Editors' Code.

IPSO found that the article included a number of references to the Duchess' sex. Specifically: the writer's claim that the Duchess exercised power via her sexual hold over her husband which, in the view of the Committee, was a reference to stereotypes about women using their sexuality to gain power, and also implied that it was the Duchess' sexuality – rather than any other attribute or accomplishment – which was the source of her power; a comparison with two other individuals – Nicola Sturgeon and Rose West – and the only clear common characteristic between the three being their sex and the writer's "hate"; it highlighted her position as a specifically female negative role model by referring to the Duchess's influence on "younger people, especially girls"; and the end-point of these references being a "dream" of humiliation and degradation.

IPSO considered that any of these references, individually, might not represent a breach of the Code. However, to argue that a woman is in a position of influence due to "vivid bedroom promises", to compare the hatred of an individual to other women only, and to reference a fictional scene of public humiliation given to a sexually manipulative woman, read as a whole, amounted to a breach of Clause 12 (i).

IPSO therefore found that the column included a number of references which, taken together, amounted to a pejorative and prejudicial reference to the Duchess of Sussex's sex in breach of the Editors' Code.

Date complaint received: 19/12/2022

Date complaint concluded by IPSO: 20/04/2023

Independent Complaints Reviewer

The publication complained to the Independent Complaints Reviewer about the process followed by IPSO in handling this complaint. The Independent Complaints Reviewer decided that the process was not flawed and did not uphold the request for review.