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**MINUTES of the COMPLAINTS COMMITTEE MEETING**  
**Wednesday 18 May 2016 at 10.30 am**  
Gate House, 1 Farringdon Street, London EC4M 7LG

**Present:** Sir Alan Moses, Chairman  
Richard Best (Items 1-8 & 10 -14)  
Lara Fielden  
Janette Harkess  
Gill Hudson  
David Jessel (Items 1-9 & 11-14)  
Matthew Lohn  
Neil Watts  
Elisabeth Ribbans (Items 8 -14)  
Peter Wright (Items 8 – 14)  
Nina Wrightson

**In attendance:** Elizabeth Bardin, Executive Assistant to Chairman  
Ben Gallop, Head of Complaints  
Michelle Kuhler, PA to CEO and minute taker  
Bianca Strohmman, Head of Complaints  
Matt Tee, Chief Executive

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

Xavier Bastin  
Ciaran Cronin  
Niall Duffy  
Isabel Gillen-Smith  
Robyn Kelly  
Holly Pick  
Charlotte Urwin  
Hugo Wallis

**Observers:** Christine Elliott, Editor's Code of Practice Committee  
Zoe Gannon, Independent Reviewer Assistant  
Jonathan Grun, Editor's Code of Practice Committee  
Charles McGhee, Board Member  
Sir Joseph Pilling, Independent Reviewer  
Kate Stone, Editor's Code of Practice Committee

1. Apologies for Absence

Apologies for absence were received from Jill May. Elisabeth Ribbans & Peter Wright sent advance warning of their late arrival.

2. Declarations of Interest

Richard Best declared an interest in Item 9. He left the room for this item.

David Jessel declared an interest in Item 10. He left the room for this item.

3. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 13 April 2016 as a true and accurate record.

4. Update by the Chairman

The Chairman welcomed the observers to the meeting: lay members from the Editors Code Committee, Christine Elliott and Kate Stone; the Secretary of the Code Committee, Jonathan Grun; and Sir Joseph Pilling and Zoe Gannon, in their role conducting the independent review of IPSO.

**External Affairs**

The Chairman update the committee on recent events, including his attendance the All Party Group on religious literacy in the media.

The Chairman concluded by handing over to Matt Tee, Chief Executive to provide an update on his recent trip to Australia, for the Australian Press Council's 40<sup>th</sup> Anniversary Conference.

5. Matters Arising

There were no matters arising.

6. Complaint 01450-16 Miscavige v Daily Mail

The Committee decided to postpone reaching a decision pending discussion of issues relating to jurisdiction by the Board at its meeting Wednesday 25<sup>th</sup> May.

7. Complaint 00616-16 Mckenna v The Sun

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

8. Complaint 01828-16 Birmingham v Eastbourne Gazette

The committee discussed the complaint and ruled that the complaint not be upheld.

A copy of its ruling appears in **Appendix B**.

9. Complaint 00285-16 Billingham v Chichester Observer

The committee discussed the complaint and ruled that the complaint not be upheld.

A copy of its ruling appears in **Appendix C**.

**The Committee adjourned for 10 minutes.**

10. Complaint 01700-16 Hadji v Daily Star

The committee discussed the complaint and ruled that the complaint was not upheld. A copy of its ruling appears in **Appendix D**.

11. Complaints not adjudicated at a Complaints Committee meeting

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

12. Briefing paper: Changes to IPSO's Regulations

The Chief Executive introduced this paper as a reminder for the committee following the regulation changes back in January. He highlighted various aspects of the report in relation to undertaking enquiries without there being a complainant, as well as being able to sanction a publication to provide quarterly more in-depth reports that remain private between IPSO and the publication.

13. Any other business

No other business was raised.

14. Date of Next Meeting

**The date of the next meeting was confirmed as Wednesday 22 June 2016**

**The meeting ended at 1pm**

**Michelle Kuhler  
PA to CEO**

## Appendix A

### Decision of the Complaints Committee 00616-16 McKenna v The Sun

#### Summary of Complaint

1. Paul McKenna complained to the Independent Press Standards Organisation that The Sun breached Clause 1 (Accuracy) and Clause 10 (Clandestine devices and subterfuge) of the Editors' Code of Practice in an article headlined "McKenna's Brahms 'n hypnotist", published on 1 January 2016. The article was also published online on 31 December 2015 with the headline "Paul McKenna's Brahms 'n hypnotist: Telly star refused alcohol on BA flight".
2. The article reported that passengers on a transatlantic flight had claimed that the complainant had been "staggering around the cabin" and had spilt his drink on a fellow passenger. It quoted a passenger saying that "the staff had obviously decided he'd had enough and stopped serving him. He did not seem happy and went off on one in a rant". It reported that passengers had claimed that the complainant had "reduced a hostess to tears". The article also reported that "staff stopped offering [the complainant] more alcohol after he became abusive and started staggering around". It reported that a spokesman for the complainant had said that "[the complainant] was feeling unwell on the flight. He sincerely apologises for any offence caused".
3. The text of the online version of the article was identical to that which appeared in print.
4. The complainant said that he was not drunk on the flight, was not refused alcohol, and did not have an altercation with a member of the airline's staff. He said that during the flight, he had been suffering from acute food poisoning. This had made him unsteady, as a result of which he had spilt a drink over a neighbouring passenger towards the end of the flight.
5. The complainant said that, prior to publication, the newspaper had misled his spokesperson about the allegations that would be published, and about the evidence the newspaper had to support its story.
6. The complainant said that the journalist had misled his spokesperson into believing that he had a "sound recording" of the incident. The journalist had told the spokesperson that "we have two witnesses on the record and evidence of disturbance". The spokesperson asked the journalist what was meant by "evidence of disturbance", and the journalist told him "sound recording...from what I have heard it sounds like he's had a few drinks. He spilled a drink all over a passenger and was a bit short with an air hostess which made her upset". In fact, the journalist did not have a sound recording of the incident, but a sound recording of the alleged witnesses describing the alleged incident.

7. Furthermore, the complainant said that his spokesperson was told that the airline was aware of the incident, and that they were providing a statement. He said that this implied that the airline was about to provide the newspaper with a statement confirming the allegations. In fact, the airline did not provide a statement until after the journalist had contacted his spokesperson. This statement did not relate to the complainant's flight. The complainant said that this showed that the journalist had misled his spokesperson when he told him that the airline was providing a statement: the airline had initially believed that the journalist's enquiry related to a different flight.
8. The complainant said that his spokesperson had then taken instructions and – in a telephone conversation with the journalist – had issued an unequivocal denial that he had been drunk, had been refused alcohol and had engaged in a "rant" which had "reduced an air hostess to tears".
9. His spokesperson was then told that the allegations would be "toned down" and that the article would not contain the allegations that he had been drunk, or that he had made an air stewardess cry. The complainant said that it was on this basis that his spokesperson had issued the apology for being unwell on the flight, which was included in the article.
10. In response to the complaint, the newspaper accepted that the allegations about Mr McKenna were untrue. However, it said it had not failed to take care over the accuracy of the article, and had not engaged in misrepresentation or subterfuge. It provided a transcript of a conversation between the journalist and two passengers on the complainant's flight. In this transcript, one of the passengers stated that the complainant was "pissed", that "he was staggering around and then it kicked off", that "they stopped serving him as well", and that "all the way across he was a pain in the arse". In addition, the newspaper said that its journalist had spoken to a freelance journalist, who told him that he had been informed by a member of the cabin crew that Mr McKenna's conduct had reduced a flight attendant to tears, and that he had been told by the same passengers the newspaper had spoken to that they had seen a flight attendant crying.
11. The newspaper said that the complainant's spokesperson had not denied – in his conversation with the journalist – that the complainant had been drinking, or that he had been refused alcohol. It said that the spokesperson told the journalist that the complainant had been "short" with the air hostess and had spilt a drink, but was suffering from an upset stomach. The newspaper denied that the complainant's spokesperson was told that the allegations that the complainant was drunk and had made an air stewardess cry would not be published. It said it was inherently improbable that the journalist would have done so, given that these allegations formed the core of the story. It said that when the spokesperson said that he appreciated the journalist "turning it all down [sic]", this related to the decision not to publish additional allegations that had been made by the passengers.

12. The newspaper said that the journalist's use of the term "sound recording" referred to the newspaper having proof that people on the flight claimed to have witnessed the incident. It said that when the journalist contacted the airline, he enquired about the wrong flight, and was told that "we have not had any reports of disruptive customers on this flight". In the journalist's email in response to this statement, he said "Thanks – but I did clarify [that it was the complainant's correct flight]. Could you please check again". The airline then provided the statement: "We are unable to discuss details of individual customers". The newspaper said that airline gave off-the-record guidance that they had a record of the incident, which was confirmed by the change in its statement when the correct date for the complainant's flight had been provided.
13. The newspaper said that it had credible sources for the allegations in the article; these allegations were put to the complainant, who did not deny them but instead provided a statement for publication, which included an apology for his behaviour. The newspaper said that, at worst, there may have been a misunderstanding between its journalist and the complainant's spokesperson, but that it was not necessary for it to spell out the nature of the evidence for the purposes of seeking comment, and denied that there was misrepresentation or subterfuge.
14. The complainant contacted IPSO on 4 February, and his complaint was referred to the newspaper on 10 February. The newspaper removed the online article from its website on 24 February, and, following a meeting with the complainant on the same date, made an offer of a correction and an apology. It made a further offer on 29 February, making clear that the wording would be published on page 2 of the newspaper. The article under complaint had been published on page 3. Following further, extensive, correspondence with the complainant, on 8 April it offered to publish the following apology on page 2 of the newspaper, and to publish the same wording online with the headline "Apology to Paul McKenna" with a link from the home page for 24 hours, and archived thereafter:

***Paul McKenna – Apology***

*Our January 1 article about Paul McKenna wrongly alleged that Paul McKenna was drunk on a flight to Barbados; was accordingly refused alcohol by the flight crew; and reacted to that refusal by launching into an abusive rant which reduced a female flight attendant to tears. We now accept that these allegations were untrue. We apologise to Mr McKenna.*

15. In relation to the transcript provided by the newspaper, the complainant noted that it did not contain the allegation that he had engaged in a "boozy rant", or had made an air hostess cry. He noted that while the transcript recorded that airline staff stopped serving him, it did not record that he had been "refused booze", or that an altercation had followed. The fact that the transcript recorded him being unsteady on his feet was consistent with the symptoms of acute food poisoning, as was the description of him "running up and down", which was the result of his frequent journeys to the loo. He noted that the passengers did not say that they saw him drinking.

16. The complainant said he did not believe that the airline had confirmed “off-the-record” that the incident had taken place, and noted that the newspaper had no record of this conversation. The complainant said he did not believe that either of the witnesses had alleged that he had made a member of airline staff cry, nor did he believe that a member of the airline staff had made this claim. He noted that the newspaper had made this submission at a late stage of IPSO’s investigation.
17. The complainant said that the article under complaint had been published on page 3 of the newspaper, a well-read page, and that the online article had been published for 55 days with similar prominence to the print article. He said that the offer to publish the correction and apology on the homepage for 24 hours, and on the less-read page 2, in a format that would be significantly smaller than the article under complaint, without a picture, was inadequate.

### Relevant Code Provisions

#### 18. 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 10 (Clandestine devices and subterfuge)

- ii) Engaging in misrepresentation or subterfuge, including by agents or intermediaries, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

### Findings of the Committee

19. It was accepted by both parties that the complainant’s spokesperson had set out an alternative version of events to the allegation of drunkenness during his telephone conversation with the journalist prior to publication: that he had been unwell on the flight. Following this conversation, the complainant issued an apology, which related to his being unwell. The newspaper was not able to demonstrate that this apology represented an admission of the published allegations; allegations it subsequently accepted were untrue.
20. The publication of the allegations alongside the complainant’s apology gave the impression that the allegations had been admitted by the complainant. This represented a failure to take care over the accuracy of the article. The Committee

also expressed concern that in his correspondence with the complainant's spokesperson, the journalist had given the misleading impression that the "sound recording" the newspaper possessed was a recording of the incident itself and that the airline would be providing a statement which might confirm that the incident had taken place. The complaint under Clause 1 (i) was upheld.

21. The newspaper had accepted that the allegations, that the complainant was drunk, refused alcohol, and had reacted by becoming abusive to airline staff, were inaccurate; these were significant inaccuracies and a correction was therefore required to comply with Clause 1 (ii). The wording of the correction and apology offered by the newspaper identified the inaccuracies and made clear the correct position. It contained an apology to the complainant, which was required under the terms of Clause 1 (ii) given that the inaccuracies related directly to his personal conduct and were potentially damaging to his reputation.
22. The Committee noted the complainant's concern in relation to the size of the offered correction. Clause 1 (ii) requires that corrections be published with due prominence: this requirement is not punitive, but requires that corrections and apologies are sufficiently prominent to achieve the required corrective effect. The Committee did not accept that this purpose can only be achieved by publication of corrections the same size as the article under complaint.
23. The Committee noted that the newspaper had an established corrections and clarifications column, published daily on page 2 with the headline "Corrections and clarifications", which included information about IPSO. The article was published on page 3 of the newspaper, and in these circumstances, publication of the correction and apology on page 2 of the newspaper and as an item on the publication's website, linked to the homepage for 24 hours, constituted due prominence under the terms of Clause 1 (ii). While the final offer was made on 8 April, the newspaper had also offered to publish a similar correction and apology towards the end of February, which – given the nature of the negotiations ongoing between the parties – was sufficiently prompt under the terms of Clause 1 (ii). There was no breach of Clause 1 (ii).
24. Misrepresentation under Clause 10 generally covers situations in which an individual is misled as to the fact that they are speaking to a journalist: it reflects the position, embodied in the Code, that journalism should be conducted openly unless the public interest requires otherwise.
25. In this instance, the journalist's conduct did not constitute an act of subterfuge or misrepresentation for the purposes of Clause 10; while the journalist had exaggerated the evidential basis for the story, it was entirely clear both that he was a journalist and that he was seeking the complainant's comments about his alleged behaviour on the flight. There was no breach of Clause 10.

### Conclusions

26. The complaint was upheld under Clause 1.



### Remedial Action Required

27. The newspaper had already offered to publish a correction and an apology on page 2 of the newspaper, as well as removing the online article and offering to publish the correction and apology online. The publication of the offered corrections and apology would be sufficient to remedy the established breach of the Code and, in light of the Committee's decision, they should now be published.

## Appendix B

### Decision of the Complaints Committee 01828-16 Birmingham v Eastbourne Gazette

#### Summary of complaint

1. Darin Birmingham complained to the Independent Press Standards Organisation that the Eastbourne Gazette breached Clause 2 (Privacy) and Clause 9 (Reporting of crime) of the Editors' Code of Practice in an article headlined "Eastbourne woman is spared jail for drug dealing", published on 8 March 2016.
2. The article reported that a woman had pleaded guilty to supplying cocaine and cannabis. She had been given a 20-month prison sentence, suspended for two years, made subject to a 12-month supervision order, and ordered to pay £925. The article named her father, the complainant, and said he had been a police sergeant who had earned 23 commendations during his 30 years in the Metropolitan Police, and had worked in a gangs unit that had sought to "disrupt gangs which dealt in extortion, organised violence and hard drugs".
3. The article was published online without the reference to the complainant.
4. The complainant expressed concern that the newspaper had named him and given details of his policing career. He said that he had been present in court and had written to the Judge prior to sentencing outlining failings of the local police force in dealing with his daughter's case; as a result the Judge had decided to suspend her custodial sentence. However, he said that he was not genuinely relevant to the story. The complainant said that he had an unblemished career in the police, and the article had caused him and his family considerable embarrassment and distress.
5. The complainant also said that he and his wife owned his daughter's house. The publication of his daughter's partial address had therefore been intrusive and had put his and his family's safety at risk.
6. The newspaper accepted that the complainant was not relevant to the story, and it offered its sincere apologies for naming him. It said that it had taken information about the sentencing hearing from the website of the local police force, and had not had a reporter present in court. The newspaper was not aware of the intervention the complainant said he had made in his daughter's sentencing. It said the paragraph had appeared in the "small circulation" Eastbourne Gazette, but it had been removed from the article before it was published in the newspaper's sister publication and online.
7. The newspaper said that the matter had been reviewed at length with the journalist concerned, and she had been referred for further Code training. It offered to publish an apology, letter or statement to resolve the matter.
8. The newspaper said it was best practice to publish a defendant's address to ensure that a person of a similar name was not wrongly identified by a report. The address had been given in open court, and published on the Sussex Police website.

### Relevant Code provisions

9. 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.

Clause 9 (Reporting of crime)

- i. Relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story.

### Findings of the Committee

10. Under the terms of Clause 9, the fact of an association with an individual convicted or accused of crime is insufficient to justify a person's identification: they must be "genuinely relevant" to the story being reported.
11. The fact that the complainant was the father of a criminal was not necessarily sufficient to justify his identification in the article. However, the Committee had regard for the specific role that the complainant had played in the police, and the nature of his daughter's offence. On balance, it concluded that the complainant had been genuinely relevant to the story, and his identification was justified. The complaint under Clause 9 was not upheld.
12. The Committee also noted that although the newspaper had been unaware of it at the time of publication, the complainant had played a significant role in his daughter's case: he had been present in court and had intervened in her sentencing.
13. The Committee noted the complainant's concern regarding the publication of his daughter's partial address. However, this information had been given in open court and was not private. The publication of defendants' partial addresses also serves to distinguish them from others of the same name. There was no breach of Clause 2 on this point.

### Conclusions

14. The complaint was not upheld.

## Appendix C

### Decision of the Complaints Committee 00358-16 Billingham v Chichester Observer

#### Summary of complaint

1. Marilyn Billingham complained to the Independent Press Standards Organisation that the Chichester Observer breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "George Bell: Hero bishop now known to have abused child", published online on 22 October 2015, and headlined "Legacy of Bishop Bell lies in ruins", published in print on 29 October 2015.
2. The online article reported that the former bishop of Chichester, George Bell, was "known to have abused [a] child". It said that he had "abused a young victim while leader of the diocese", and that this news would "come as a great shock to people who regarded him as a hero". It said that "police [had] confirmed that if George Bell was still alive when the victim [first] contacted the Diocese of Chichester in 1995, he would have been arrested and interviewed on suspicion of 'serious sexual offences'". It also included a number of biographical details about George Bell, and set out why many members of the public held him in such high esteem. It said that "it now seems likely he will be remembered for a horrendous act that has scarred a victim for life". It quoted the claimant's solicitor, who said that "for [her] client, the compensation finally received does not change anything. How could any amount of money possibly compensate for childhood abuse?"
3. Similar coverage appeared in the print version of the article. This also reported that George Bell had been "revealed to have abused a young child while leading the diocese".
4. The complainant said that it was inaccurate to report as fact that George Bell had sexually abused a child. George Bell had not been found guilty in a court of law of such offences, and there was no further evidence to corroborate the allegations. It was therefore also misleading for the article to have referred throughout to a "victim", rather than an "alleged" victim; the fact that the police had said that George Bell would have been arrested had he been alive when the allegations were first made was not indicative of any guilt.
5. The complainant provided a copy of a Church of England press release which she said appeared to be the only information available in the public domain about the matter prior to publication. The complainant noted that, while the press release said that the current Bishop of Chichester had issued a formal apology following the settlement of a civil claim, it did not make any absolute admissions of guilt or liability. She argued that on the basis of the information available in the public domain, the newspaper was unable to claim that it was accurate to report that George Bell had abused a child.

6. The complainant also said that separately, and a number of months following the publication of the article, the Bishop of Durham speaking in the House of Lords had indicated that the Church had not accepted the allegations were true; he said that “if noble Lords read very carefully the statements that have been put out, they will see that there has been no declaration that we are convinced that this took place”. She also noted that the Church of England press release had been the subject of some criticism by supporters of George Bell.
7. The newspaper said that it had given the matter careful consideration prior to publication, and argued that the article accurately reflected the Church of England’s position on the claim. According to the Church press release, the claim had been settled on the basis of a payment of civil damages and the current Bishop of Chichester had apologised to the victim. It made clear that there had been a thorough pre-litigation process, which included the commissioning of expert independent reports; it said that none of the reports “found any reason to doubt the veracity of the claim”. The newspaper argued that in these circumstances – and given that the statement also included reference to the police’s position that George Bell would have been arrested had he been alive – it was clear that the Church had accepted the veracity of the claim, and that its coverage was therefore reasonable, accurate, and proportionate.
8. The newspaper noted that, separately, the Church had taken steps beyond the civil settlement; it had removed all reference to George Bell’s name in the properties it owned. Further, in response to an interview with the claimant subsequently published in a different newspaper, the current Bishop of Chichester released a statement which made clear his position that “words of apology written in a letter can never be enough to express the Church’s shame or our recognition of damage done”. It also noted that during a radio interview which took place a number of months following the publication of the article, the Archbishop of Canterbury said that “on the balance of probability, at this distance, it seemed clear to us after very thorough investigation that [the person who came forward who said that they had been abused by George Bell] was correct and so we paid compensation and gave a profound and deeply felt apology”. Further, the newspaper noted that the current dean of Chichester Cathedral subsequently said that “in time to come we will acquire ways to continue to recognise the huge contribution which Bell made to the history of his time and his lasting legacy, and hold them alongside an acknowledgement of his serious wrongdoing”, and that the settlement “does not re-write history: Bell’s achievements are a matter of record. It does though acknowledge serious wrong-doing on his part”. It said that this demonstrated that the Church had accepted that George Bell had abused a child.
9. The newspaper also argued that, to have referred in the article to “allegations” of abuse – or to have referred to an “alleged” victim” – would have been to cast doubt on the victim’s account; it had an obligation not to undermine those who make claims of serious child sexual abuse. This had been a failing of too many people for too long, and had allowed for a number of serial offenders to continue their behaviour unchallenged. It argued that it served the public interest not to dismiss the offences as mere “claims” in the full circumstances. It noted that high-profile individuals also accused of similar offences following their deaths – and

who had never faced criminal proceedings while alive – were not on the whole referred to as “alleged” offenders in the media for this reason.

10. Finally, the newspaper said that it understood that a number of people would want to defend George Bell given his past popularity. It had allowed people to do so by publishing a number of articles and letters – including one written by the complainant – in defence of George Bell.

### **Relevant Code provisions**

#### **11. Clause 1 (Accuracy)**

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

### **Findings of the Committee**

12. The Committee acknowledged that George Bell had not been found guilty in a court of law of serious sexual offences against a child. Following George Bell’s death, there was however no prospect of any such proceedings taking place. When reporting on the extent to which the allegations could be said to have been proven, it was therefore impossible for the newspaper to rely on the findings of a court when taking care not to publish inaccurate information in line with its obligations under Clause 1 (i), as it might have done had George Bell still been alive.
13. The Committee did not accept the contention that a newspaper may only report historic allegations as fact in circumstances where a court has found this to be the case. Given their nature, many such allegations will never reach the stage where they could be considered by a court: in such cases, newspapers are not obliged to cast doubt on allegations by constant qualification where a sufficient factual basis can be found elsewhere.
14. In this case, the newspaper had relied on the information provided by the Church of England in an official press release which made clear the basis on which the legal claim relating to the allegations had been settled. It stated that this had “followed a thorough pre-litigation process during which further investigations into the claim took place including the commissioning of expert independent reports” and that “none of those reports found any reason to doubt the veracity of the claim”. The Committee was not in a position to dispute the Church’s conclusions about the reports.
15. While the Committee noted that the press release did not include a clear admission of liability, it confirmed that the current Bishop of Chichester had apologised to the claimant; included a statement from the claimant’s solicitor setting out the claimant’s response to the settlement; and made clear that the police had “confirmed [...] that the information obtained [...] would have justified

[...] Bishop Bell's arrest and interview on suspicion of serious sexual offences, [...] and the subsequent submission of a police report to the CPS". The press release did not refer to an "alleged victim", and instead referred to the claimant as a "survivor", and said that the current bishop of Chichester "paid tribute to the survivor's courage in coming forward to report the abuse".

16. To this extent – while initially referring to "allegations" – the press release had adopted the allegations of abuse as fact.
17. The newspaper was entitled to report the information provided by the Church in an official press release. Given its content and tone, it was not unreasonable for the newspaper to conclude that the Church had accepted the account of the victim. The Committee noted that the subsequent statements made by the Church publicly in relation to the case made clear that it had accepted that abuse had taken place.
18. In the specific circumstances of the case, where the Church had provided details of the investigation it had carried out in its press release, as well as the conclusion of independent experts that there was no basis to doubt the veracity of the allegations against Bishop Bell, the Committee was satisfied that publication of those allegations as fact in the headline of the article did not represent a failure to take care over the article such as to breach Clause 1 (i) of the Code. While the Committee expressed some concern that the online article did not make clear the full context in which it had been published, it was not significantly misleading; there was no breach of the Code.

### Conclusions

19. The complaint was not upheld.

## Appendix D

### Decision of the Complaints Committee 01700-16 Hadji v Daily Star

#### Summary of Complaint

1. Gabby Hadji complained to the Independent Press Standards Organisation that the Daily Star breached Clause 1 (Accuracy) and Clause 2 (Privacy) of the Editors' Code of Practice in an article headlined "It's like blind date without any clothes", published in the Daily Star on 14 March 2015, and "Like Blind Date... only NAKED: Producers search for up-for-it singles for new TV show", published online on 14 March 2016.
2. The article reported that a new television dating show – where participants appeared naked – was searching for contestants. It quoted a source saying that the show's makers had been "contacting members of the public via social media to try and convince them to take part". The article listed a number of people who had been approached, including the complainant. It was accompanied by a photograph of the complainant, and a screenshot of the tweet sent to her by the show's makers.
3. The articles were identical in print and online except for the headline. The photograph of the complainant online was accompanied by the caption "TARGETED: TV producers have contacted Hadji, right, about appearing in the new raunchy show".
4. The complainant said that the newspaper did not have permission to print her name or photograph, which was taken from her Twitter feed. She initially said that that her Twitter account had been switched to "private" a few months ago, and suggested that the newspaper must have followed her before she changed its status in order to have access to the photograph; she later said that her account had always been private.
5. The complainant said that the article gave the inaccurate impression that she had been contacted by the makers of the show, and would appear in the show; she said that she had not seen the tweet from the show's makers, and was not appearing in it.
6. The newspaper said that the photograph used in the article was publicly accessible on the complainant's Twitter feed at the time of publication. It said that had the account been private, it would not have been able to see the photograph, or the tweet from the show's makers. It said that the article did not suggest that the complainant was going to appear on the show – it said that she had been approached to appear on the show.



## Relevant Code Provisions

### 7. 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.

### 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.

## Findings of the Committee

8. Having read the detailed account provided by the newspaper of how it came upon the complainant's photograph, the Committee was satisfied that her twitter account was not private at the time the article was published. In addition, it noted that the image published of the complainant was similar in nature to her publicly available profile picture, that she had more than 1,300 followers who had access to the images on her Twitter feed, and that the image displayed no intrinsically private information about her. In such circumstances, the publication of the image did not represent an intrusion into the complainant's private life; there was no breach of Clause 2. Nonetheless, the Committee welcomed the removal of the complainant's photograph from the online article.
9. The article was careful to only say that the complainant had been approached to appear on the show, not that she was appearing on the show. While the complainant said she did not see the tweet asking her if she was interested in appearing on the show, she did not dispute that she had been tweeted by the show's makers. It was not therefore inaccurate to report that she had been contacted to appear on the show; there was no breach of Clause 1. However, the Committee did note that given the context of the story, it was unfortunate that the newspaper had not contacted her for comment prior to publication.

## Conclusions

10. The complaint was not upheld.

## Appendix E

Paper No.	File Number	Name v Publication
623	12317-15	Levi v The Times
629	00781-16	Khan v The Daily Telegraph
631	00306-16	Portes v Daily Express
632	00191-16	Portes v Daily Express
636	12309-15	Hussain v The Times
639	01469-16	Greenwood v Daily Mirror
640		Request for review
641	00779-16	Faqiri v Birmingham Mail
642	11841-15 / 00034-16	Howells v Pontypool Free Press / South Wales Argus
643		Third party
644		Request for review
650	12343-15	Perrett v Telegraph.co.uk
651	12344-15	Perrett v Mirror.co.uk
652	12346-15	Perrett v The News (Portsmouth)
653	12347-15	Perrett v Belfast Telegraph
661	01623-16	Bankowski v Cambrian News
663		Third party
664		Request for review
665	00851-16	Whirlpool UK Appliance Ltd v Daily Mirror
667	00663-16	Milbourn v The Mail on Sunday
668	01055-16	Sainthouse v The Sun
669	00437-16	Soliman v Daily Mail
671	01437-16	Khaman v Sunday Post