

**Minutes of the Complaints Committee Meeting
Tuesday 20 May 2025 at 10:30am
10-12 Eastcheap, London, EC3M 1AJ**

Present

Lord Edward Faulks – Chair
Bulbul Basu (remote)
Sarah Baxter
Sarah Havlin
Carwyn Jones
Alastair Machray
Asmita Naik
Allan Rennie
Harriet Wilson
Ted Young (*Items 1 to 12*)

In attendance:

Charlotte Dewar, Chief Executive
Alice Gould, Head of Complaints
Emily Houlston-Jones, Head of Complaints
Michelle Kuhler, PA & minute taker (remote)

Also present: Members of the Executive:

Sarah Colbey
Rosemary Douce
Tom Glover
Natalie Johnson
Paul McGarrity
Rebecca Munro
Marcus Pike
Hira Nafees Shah
Sophie Thomsett
Davina Wong

Observers:

Jonathan Grun, Editors Code Committee

1. Apologies for Absence and Welcomes

The Chairman welcomed everyone to the meeting.

There were apologies received from George McInnes and Manuela Grayson.

2. Declarations of Interest

No declarations were received.

3. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 21 January 2025, with an amendment made to the year.

4. Minutes of the Previous Meeting

The Committee approved the minutes of the meeting held on 22 April 2025.

5. Matters arising

There were no matters arising.

6. Update by the Chair – oral

The Chairman gave the Committee an update on external affairs affecting IPSO.

Lord Triesman had resigned from the Appointment Panel; IPSO is sorry to lose him. IPSO would seek to appoint a replacement.

Interviews were held for an Alternate Complaint Committee member.

This was Sarah Colbey's last meeting, she would leave IPSO in the next few weeks, thanks for all her hard work.

7. Complaints update by the Head of Complaints – oral

Emily Houlston-Jones, Head of Complaints, gave the Committee an update on complaints of note that are in the pipeline.

8. Complaint 00464-25 Hogan v The Daily Telegraph

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

9. Complaint 00251-25 Portes v The Daily Telegraph

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

10. Complaint 00351-25 Portes v Telegraph.co.uk

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

11. Complaint 00421-25 Portes v The Daily Telegraph

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

12. Complaints not adjudicated at a Complaints Committee meeting

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

13. Any other business

The England and Wales Cricket Board v The Mail on Sunday complaint was brought back to the Committee for further discussion. The decision was made to not uphold the decision. **The decision would be finalised in correspondence.**

APPENDIX A

00464-25 Hogan v Telegraph & Argus

Summary of Complaint

1. Faye Hogan complained to the Independent Press Standards Organisation that Telegraph & Argus breached Clause 1 (Accuracy), Clause 2 (Privacy), Clause 4 (Intrusion into grief or shock) and Clause 6 (Children) of the Editors' Code of Practice in an article headlined "BANNED E-BIKER HIT CAR IN FATAL CRASH/Fatal crash man's bike was not legal for road", published on 6 February 2025.
2. The article – which appeared on the front and second pages of the newspaper – reported on an inquest into the death of the complainant's partner. It opened: "a balaclava-clad disqualified rider of an unregistered off-road electric motorcycle threatened the driver of a car he had just crashed into on a Bradford road, an inquest heard." It said "just over two years ago, [the complainant's partner] died after being involved in the collision on Leeds Road." It went on to state: "the driver had said, when interviewed, that he had been threatened with a machete that had come from [the complainant's partner's] trousers, which he later placed in a wheelie bin." It went on to report remarks the complainant's partner made "before going into cardiac arrest".
3. The article featured a picture of the complainant's partner smiling holding a baby. The caption said: "[the complainant's partner] with his son".
4. The article also appeared online in substantively the same form under the headline "Inquest into death of [the complainant's partner] after Leeds Road crash." It contained the same image.
5. In October 2023, the complainant messaged the publication on social media as follows:
"Hello, you shared an article when my partner passed away back in February last year. I have recently been doing some work with an insurance company to promote life insurance in young parents. I was wondering if possible if you would share the post for me please?"
The publication responded:

"Hi [complainant's name], thanks for your message. Would you be happy for one of our reporters to give you a call? Best wishes, [name of reporter]."

The complainant responded:

"Hello yes of course [phone number]."

The publication responded:

"Lovely, thank you. Our reporter [reporter's name] will be in touch."

6. The complainant then sent an image of her partner and child to the newspaper. The image was also published in an article headlined "Bradford woman's grief after fatal Leeds Road crash", published on 17 October 2023. The article reported on the complainant's experience of grief after the death of her partner and discussed the complainant's work to raise awareness about life insurance.

7. The same image was republished in the 2025 article under complaint.

8. The complainant said the article was in breach of Clause 6 because she said it included a picture of her child which had been used without her consent. The complainant said she had only provided the image of her child to the publication for a previous article about life insurance, a different topic, and the publication had reused the image without notifying her or asking her for permission.

9. The complainant said the inclusion of the image of her child was in breach of Clause 4. She said she considered the image of her child had been used as "clickbait" to draw attention to the article. The complainant also said the inclusion of her partner's last words before going into cardiac arrest was in breach of Clause 4. She expressed concern that the comments on the article were enabled. She considered that, by enabling members of the public to comment, the publication had disregarded the impact comments could, and did, have on a grieving family.

10. The complainant said the article was also in breach of Clause 2 for using the same image of her child without her permission. She said her child had no involvement in the accident and there was no reason to include an image of him.

11. The complainant said the article was in breach of Clause 1. She said it inaccurately reported that her partner had threatened the driver of the vehicle; she said she had evidence that showed her partner did not get up from the floor after the accident. She also said the article

made it sound as if her partner placed a machete in the bin, which she disputed as he was unable to stand, was “gasping for breath” and was not able to walk around gardens to use bins.

12. The publication did not accept a breach of the Code, but apologised for any distress caused by the article. With regards to Clause 6, it said the complainant had already publicly shared the image of her child used in the article and had given the publication permission for it to be used in another article in relation to her partner’s death. The publication said, as a result of the first article, the image of the complainant’s son was in the public domain and it could use it again for a story on the same topic.

13. The publication said, while it did not accept it had breached Clause 6 by publishing the photo, it considered any potential breach of the Code was mitigated by the fact the publication of the image was in the public interest. It said the local area had been found by West Yorkshire Police and the DVLA to be one of the most dangerous places in the UK to drive, and consequently the publication had been campaigning for better driver education and road safety for the last ten years. It said it was important that readers understood what the consequences could be when driving a car or motorcycle. It said the photo – published in conjunction with the inquest report – highlighted that the complainant’s partner was a father with a young child who made a mistake with catastrophic consequences. The publication said it hoped that using the image would serve the wider public interest because the photo would encourage people to take greater care when driving.

14. While the publication did not consider the use of the image to be a breach of the Code, it removed the image from the online version of the article and from its electronic archive so it would not be used again in the future.

15. The publication said because the image had been put into the public domain by the complainant it also did not accept it had breached Clause 2 by publishing the image.

16. The publication did not accept a breach of Clause 4 of the Code. It said, where the complainant provided the image and it had first been put into the public domain at her request – and she had never stated that she did not want the publication to reuse it – it did not consider it was intrusive to reuse the image. Regarding the inclusion of the complainant’s partner’s last words before his cardiac arrest, it

said the article was a report of the inquest and it had to fully recount what was said at the hearing to provide a complete picture of the circumstances to prevent similar tragedies in future.

17. The publication did not accept the article was inaccurate. It said it was satisfied the article was a correct report of the hearing. It said it was heard in evidence at the inquest that the complainant's partner threatened the driver. It supplied the reporter's notes from the inquest to support its position. It noted that the original article said: "the driver had said, when interviewed, that he had been threatened with a machete that had come from [the complainant's partner's] trousers, which he later placed in a wheelie bin." The publication said this meant that the car driver had disposed of the machete, however, on reviewing the story it felt that the sentence could be construed to suggest the complainant's partner disposed of the weapon. The publication therefore offered to update this part of the article so it read "the driver had said, when interviewed, that he had been threatened with a machete that had come from [the complainant's partner's] trousers, which the driver later placed in a wheelie bin."

18. Notwithstanding the fact the publication did not accept a breach of the Code, it also offered to remove the image of the child from the 2023 article.

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 2 (Privacy)*

- i) Everyone is entitled to respect for their private and family life, home, physical and mental health, and correspondence, including digital communications.
- ii) Editors will be expected to justify intrusions into any individual's private life without consent. In considering an individual's reasonable expectation of privacy, account will be taken of the complainant's own public disclosures of information and the extent to which the

material complained about is already in the public domain or will become so.

iii) It is unacceptable to photograph individuals, without their consent, in public or private places where there is a reasonable expectation of privacy.

Clause 4 (Intrusion into grief or shock)

In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. These provisions should not restrict the right to report legal proceedings.

Clause 6 (Children)*

i) All pupils should be free to complete their time at school without unnecessary intrusion.

ii) They must not be approached or photographed at school without permission of the school authorities.

iii) Children under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.

iv) Children under 16 must not be paid for material involving their welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.

v) Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

Findings of the Committee

19. The Committee wished to extend its condolences to the complainant for the distressing circumstances surrounding this complaint.

20. It was not in dispute that the image of the child related to their welfare. The question for the Committee, under the terms of Clause 6 (iii), was whether the child's parent had consented to the picture being used. The complainant had previously given permission for the same image of the child to be used in an article about her partner's death. When considering whether the complainant had consented to the use of the image in the article under complaint, the Committee considered the respective subject matters of the articles. Both articles focused on the complainant's partner's death in a road traffic accident. Considering this, the Committee found the two articles were materially similar in the way they related to the child's welfare. The Committee recognised the complainant was distressed at the image being used again in the article under complaint. However,

where she had given her permission for the image to be used in an article which was on a substantively similar topic that related to her child's welfare, the Committee considered the publication was entitled to reuse it. There was no breach of Clause 6 on this point.

21. Clause 2 makes clear it will consider the complainant's own disclosures of information when considering whether they had a reasonable expectation of privacy over published material. In this case, the image of the complainant's child had been shared with the newspaper on the basis that it would be published. Furthermore, once the image had been posted by the publication, it had entered the public domain. In these circumstances, the Committee did not consider the complainant had a reasonable expectation of privacy over the photograph.

22. The Committee then considered whether the inclusion of the image breached Clause 4. The image simply showed the complainant's child's likeness – it did not reveal any information which was connected to their experiences of grief or shock in relation to the death of their parent. While the Committee appreciated the complainant would rather the image had not appeared in the article, this did not in itself mean Clause 4 had been breached. Where the image did not mock or make light of the circumstances of the death, the Committee did not consider its publication to be insensitive under the terms of Clause 4. There was no breach on this point.

23. The Committee considered whether the inclusion of the complainant's partner's last words before his cardiac arrest was in breach of Clause 4. While the Committee recognised this was sensitive information, unless there are restrictions on reporting imposed by the coroner, inquests are public proceedings and journalists are entitled to cover them. The Committee considered the inclusion of the last words simply reflected the evidence given at proceedings and did not seek to deride or minimise the circumstances in which the complainant's partner had died. Further, the Committee understood the complainant was concerned about comments being allowed on the social media post of the article. However, the Committee is only able to consider concerns about specific comments which are alleged to be in breach of the Editors' Code – general concerns that users are allowed to comment do not fall within IPSO's remit. For these reasons, the Committee did not consider their inclusion was in breach of Clause 4.

24. The Committee recognised the complainant disputed the accuracy of the evidence given at the inquest. However, the

complainant did not dispute that the article was an accurate report of what was heard at the inquest. Newspapers are responsible for accurately reporting what is heard in court; they are not responsible for the accuracy of what is heard by the court. The newspaper was able to support its reporting of the inquest with contemporaneous notes. In these circumstances, and where the article accurately reported the evidence heard by the inquest, the Committee did not consider that the article was misleading in the way the complainant suggested. Further, while there was arguably some ambiguity as to who placed the machete in the bin, the Committee considered that the article was referring to the driver of the car – which was supported by the contemporaneous notes. In these circumstances, the Committee did not find that the article was significantly misleading on the point, but it welcomed the publication's offer to amend the article to provide further clarity. There was no breach of Clause 1.

Conclusions

25. The complaint was not upheld.
Remedial action required

26. N/A

Date complaint received: 06/02/2025

Date complaint concluded by IPSO: 03/06/2025

APPENDIX B

00251-25 Portes v The Daily Telegraph

Summary of Complaint

1. Jonathan Portes complained to the Independent Press Standards Organisation that the Daily Telegraph breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "One in 12 in London is illegal migrant", published on 23 January 2025.

2. The complainant was one of a number of individuals who raised concerns about this article; in line with IPSO's usual procedures, he was selected as IPSO's lead complainant for the purpose of investigating the complaint.

3. The article appeared on the front page of the newspaper, above the sub-headline: "New research adds to fears over borders and increased pressure on public services". It then opened by reporting that "London is home to as many as 585,000 illegal migrants, equivalent to one in 12 of the city's population, according to a previously confidential report."

4. The article also reported the "new estimate has emerged in a study commissioned by Thames Water, obtained by The Telegraph under freedom of information-style laws". It then reported:

- *report for Thames Water by Edge Analytics, a group of demography and data experts at Leeds University, aimed to quantify the 'hidden' and 'transient' users of their services to help them meet demand.*
- *based its analysis on academic estimates of illegal migrants nationally, including the Pew Research Centre in the US, London School of Economics, Office for National Statistics data and other research. It then used National Insurance registrations for non-EU foreign nationals over a nine-year period to estimate the number of 'irregular' migrants in each London borough.*
- *the whole of London, it produced a range of 390,355 illegal migrants at its lowest to 585,533 at its highest, with a median figure of 487,944. With an estimated population of 7,044,667, that would mean one in 12 of the capital's population is an illegal migrant."*

5. The article also appeared online, in substantially the same format, under the headline: "One in 12 in London is an illegal migrant". The was amended, within three minutes of publication, to read: "Up to one in

12 in London is an illegal migrant". The line: "With an estimated population of 7,044,667, that would mean one in 12 of the capital's population is an illegal migrant" was also amended, to refer to "up to one in 12".

6. On 23 January, the complainant complained to IPSO that the article, and the headline in particular, breached Clause 1.

7. He said that, according to the Office of National Statistics, London's population was around 9 million, not roughly 7 million, as the article reported. Secondly, he said that the publication had taken the "upper bound" figure from the estimated number of illegal migrants in London to calculate the "one in 12" figure. Given this, he said the headline statement was inaccurate and misleading – the correct position was that between one in 23, and one in 15, people in London were estimated to be illegal migrants. He said that the headline "grossly and deliberately" misrepresented the data.

8. On 26 January, the complainant also complained directly to the publication. In this complaint, alongside the points set out above, he also raised two further points.

9. Firstly, citing research by Migrant Observatory, he said that Pew Research Centre's estimates – whose analysis was used in the Thames Water report central to the article – included a large number of individuals, possibly hundreds of thousands, with indefinite leave to remain in the United Kingdom. He said it also included children born in the United Kingdom to parents who do not have authorised immigration status. Neither group, he said, could be defined as an "illegal migrants"; the former had permission to remain in the country, and the latter were not migrants, as they would have been born in the UK.

10. The complainant also noted that a number of other newspaper had published articles repeating the claims, following the publication of the article under complaint.

11. On 29 January, IPSO made the newspaper aware that the complainant's concerns raised a possible breach of the Editors' Code. On the same day, the publication contacted the complainant, and proposed to publish a series of corrections to resolve his complaint. First, it proposed to publish the following correction as a footnote to the online article:

– figure of 7,044,667 referred to in this article is the estimated population for the whole of the Thames Water London Water Resource Zone in which it supplies water services, rather than the full geographical area of London which has an estimated population of about 9 million. We are happy to make this clear.”

12. It also proposed to publish the following in its online Corrections and clarifications Column:

– the online article headed ‘Up to one in 12 in London is an illegal migrant’ (22 Jan) and the print article in the Daily Telegraph (23 Jan) headed ‘One in 12 in London is illegal migrant’, the figure of 7,044,667 referred to is the estimated population for the whole of the Thames Water London Water Resource Zone in which it supplies water services, rather than the full geographical area of London which has an estimated population of about 9 million. We are happy to make this clear.”

13. It also suggested publishing the following in print:

– an article (23 Jan) headed ‘One in 12 in London is illegal migrant’ the figure of 7,044,667 referred to is the estimated population for the whole of the Thames Water London Water Resource Zone in which it supplies water services, rather than the full geographical area of London which has an estimated population of about 9 million. We are happy to make this clear.”

14. The complainant said that the proposed corrections failed to address a number of the inaccuracies he had identified.

15. Firstly, he said they failed to make clear that – based on the figures reported in the article – the correct figure was “between one in 12 and one in 18”, not “one in 12”, as the headline reported. Secondly, he said the corrections failed to make clear that the estimated 585,000 figure for illegal migrants from Pew Research Centre included people with indefinite leave to remain and children born in the UK to parents without authorised legal status – neither of which he considered to be illegal migrants.

16. Finally, he also said, as he understood it, that the 7-million figure for the population of the Thames Water London Water Resource Zone was misleading in the context of the article – it excluded the estimated irregular population of 585,000 and should therefore be 7.5 million. He said the corrections did not make this clear, and did not explain how this had affected the accuracy of the article.

17. Two days later the publication proposed to publish the following correction as a footnote to the online article, and to amend the article to take account of the correction:

– figure of 7,044,667 in this article is the estimated population of the Thames Water London Water Resource Zone, rather than of geographical London which is about 9 million. That figure does not include irregular migrants. Hence 'up to 1 in 12 illegal migrants' is incorrect and ought to have been 'up to 1 in 13', based on the study's upper figure for irregular migrants. This figure includes children born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to make this clear and to correct the record."

18. It proposed to publish the following in its online Corrections and Clarifications Column:

– the online article headed 'Up to one in 12 in London is an illegal migrant' (22 January 2025) and the print article in the Daily Telegraph for 23 January 2025 headed "One in 12 in London is illegal migrant", the figure of 7,044,667 is the estimated population of the Thames Water London Water Resource Zone, rather than of geographical London which is about 9 million. That figure does not include irregular migrants. Hence 'up to 1 in 12 illegal migrants' is incorrect and ought to have been 'up to 1 in 13', based on the study's upper figure for irregular migrants. This figure includes children born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to make this clear and to correct the record."

19. It also proposed to publish the following correction in print:

– an article headed "One in 12 in London is illegal migrant" (23 January 2025) the figure of 7,044,667 is the estimated population of the Thames Water London Water Resource Zone, rather than of geographical London which is about 9 million. That figure does not include irregular migrants. Hence 'up to 1 in 12 illegal migrants' is incorrect and ought to have been 'up to 1 in 13', based on the study's upper figure for irregular migrants. This figure includes children born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to make this clear and to correct the record."

20. While the complainant considered the corrections broadly acceptable, he maintained that the corrections were not explicitly clear that the headline was inaccurate to report that "one in 12" people in London was an illegal migrant, rather than "up to one in 13". He also said it was not explicitly clear that neither children born in the

United Kingdom to parents who do not have authorised immigration status, nor those with indefinite leave to remain, could be classified as illegal immigrants. He also said that he considered a prominent front-page correction appropriate.

21. On 31 January, the publication confirmed that it had published online corrections, and would be publishing a print correction the following day. It published the following footnote correction to the online article:

– The figure of 7,044,667 is the estimated population of the Thames Water London Water Resource Zone, excluding irregular migrants, not geographical London which is about 9 million. “Up to 1 in 12 illegal migrants” in a previous version was incorrect and ought to have been “up to 1 in 13”, based on the study’s upper figure for irregular migrants, which includes children born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to correct the record.

22. It published the following in its online Corrections and clarifications column:

– an online article “Up to one in 12 in London is an illegal migrant” (Jan, 22), the figure of 7,044,667 was the estimated population of the Thames Water London Water Resource Zone, excluding irregular migrants, not geographical London which is about 9 million. “Up to 1 in 12 illegal migrants” was incorrect and ought to have been “up to one in 13”, based on the study’s upper figure for irregular migrants, which includes children born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to correct the record.

23. It also published the following in print, in its Corrections and clarifications column, on page 2 of the newspaper:

– an article ‘One in 12 in London is illegal migrant’ the figure of 7,044,667 is the estimated population of the Thames Water London Water Resource Zone, excluding irregular migrants, not geographical London which is about 9 million. One in 12 illegal migrants was incorrect and ought to have been up to one in 13, based on the study’s upper figure for irregular migrants, which includes children born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to correct the record.

24. It also amended the online article to accompany this – the headline was changed to read: “Up to one in 13 in London is an illegal migrant”. The following was also introduced to the text of the online

article: "The analysis by Thames Water, done to help assess demand for its services, suggests that the equivalent of up to one in 13 of its users is an illegal migrant".

25. The complainant objected to this – he did not consider the wording of the corrections, nor their prominence, adequate to sufficiently correct the record. IPSO therefore began an investigation into the complaint.

26. The publication did not accept a breach of the Editors' Code – it accepted, however, that the "one in 12" claim was inaccurate. It said the range of estimates for the population of illegal migrants in London was taken from a Thames Water report, which the publication supplied to IPSO. The report included the estimates reported in the article: "390,355 illegal migrants at its lowest to 585,533 at its highest, with a median figure of 487,944". The report also cited the population of "London", under the heading "Water Resource Zone", as "7,044,667" – the population figure used in the article. The publication said that it had used the upper bound figure to calculate the "one in 12" headline figure, and that the article made clear this was the case: the opening sentence stated that London is home to "as many as" 585,000 illegal migrants, and the article went on to quote the lowest and highest estimate.

27. The publication said that, when calculating the "one in 12" figure, the estimated illegal migrant population figure of 585,000 had not been added to the overall population figure – the population of the Thames Water London Water Resource Zone, not including illegal migrants, which was 7,044,667 – as reported in the article. The population figure given in the article was therefore smaller than it should have been, resulting in the "one in 12" figure also being smaller than it would have been, had the illegal immigrant population figure been added to the overall population figure. The publication said this was due to human error, but that it was an error of "statistical detail", as opposed to an error which fundamentally altered the meaning of the article. The publication said that, in light of this, the article ought to have reported that there were "up to one in 13" illegal migrants in London.

28. During IPSO's investigation, the publication supplied a map of the Thames Water Resource Zone. The map showed a red line distinguishing the Resource Zone from London. The Zone covered the majority of central London but did not cover parts of Greater London, such as Dagenham or Harrow. The Zone also included areas which

were not located within Greater London, such as Watford, Hemel Hempstead, and St Albans,

29. Turning to the complainant's concern that the estimates of illegal migrants included individuals with indefinite leave to remain and children born to illegal migrants, the publication stated that this was a matter of debate for Pew Research Centre, and did not mean the article under complaint was inaccurate. It said it understood that these groups were included in the estimates from Pew Research Centre – which meant that they would have been referred to in the Thames Water report. It said the complainant was not disputing that the publication had reported on the research accurately.

30. The publication also referred to a report from Pew Research Centre from November 2019 which, it said, listed children born in the UK with irregular status, or children who do not have an authorised immigration status, as "unauthorised immigrants" in its "terminology" section. It also referred to an analysis from Migrant Observatory in 2020, which also noted that Pew Research Centre does not include people with indefinite leave to remain as part of its "legal resident population". Given this, the publication did not consider that it was significantly inaccurate to include these groups of people in its calculations for the number of illegal migrants in London.

31. Further, it also cited a 2025 Briefing paper from Migrant Observatory, which stated: "There are four main ways for a person to become an unauthorised migrant in the UK [...] 4. Being born in the UK to parents who are unauthorised migrants, because the UK does not have birthright citizenship". The publication later supplied all of these documents to IPSO.

32. At any rate, the publication considered that the matter had been corrected. The correction had made clear: that the population of London is around 9 million; the original article was based on the population of the Thames Water Resource Zone, which was around 7 million; that the "upper bound" figure had been used to calculate the "one in 12" figure; that the correct position was that "up to 1 in 13" people were illegal migrants; and that individuals with indefinite leave to remain and children born to parents with unauthorised legal status were included in the estimated number of illegal migrants in the UK.

33. The publication also considered that the corrections had been published with due prominence, as required by the terms of the Editors' Code. It said they were published in the normal and established way, that was known to its readers – in its Corrections and clarifications columns, and as a footnote to the online article.

34. The publication also reiterated that the error was a statistical one – it had inaccurately reported “one in 12”, as opposed to “one in 13” – and its position was that the inaccuracy did not undermine the central thrust of the article.

35. In response, the complainant noted that – had the figure been correctly calculated in the manner set out by the publication – the range would have been between “one in 13” and “one in 19”. He said, however, “between one in 13 and one in 19” was not the same as “up to one in 13” – he considered the latter statement was less misleading, and should have been made clear in the corrections.

36. Further, the complainant said that the article referred to “London”, in the headline, as well as the “whole of London” and “the capital” in the text – this was not, he said, “remotely the same thing” as the Thames Water London Water Resource Zone, which does not cover large parts of London, and covers areas that are not London. He said this was not made clear in the correction.

37. Regarding the inclusion of individuals with indefinite leave to remain and children without regular migration status in its figures for those who were illegal migrants, the complainant accepted that these individuals were included in the research from Pew Research. Therefore, he said he considered the publication had taken care over the accuracy of this particular reference. He maintained, however, that this was significantly inaccurate and misleading to categorise these groups of people as “illegal migrants” – for the reasons referenced above – and said the correction was not explicit on this point.

38. In support of his position regarding children born to parents with unauthorised legal status, he cited the “official definition” for an illegal immigrant as set out by the UN: “A person who moves to a country other than that of his or her usual residence for a period of at least a year”. He also cited the Home Office website's definition for indefinite leave to remain: “Indefinite leave to remain is how you settle in the UK... It gives you the right to live, work and study here for as long as you like, and apply for benefits if you're eligible”.

Relevant Clause Provisions

1 (Accuracy)

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

Findings of the Committee

39. The Committee recognised, from the outset, that there was not an official count of how many illegal migrants reside in London. Neither the publication, nor the complainant, were able to provide this information, for which no confirmed and official statistics appeared to exist – the Thames Water report, and consequently the article, were based on estimates.

40. Committee was clear that the publication was entitled to report upon the information from the Thames Water report. Doing so did not represent a failure to take care in and of itself; the publication was not responsible for the accuracy of the data contained within the report and the article made clear it was based on the findings of this report. However, the publication was required to take care not to report on the Thames Water findings in a way that was inaccurate, misleading, or distorted. It was also required to correct any significant inaccurate or misleading information it published.

41. The “one in 12” claim was not included in the report – rather, the publication had calculated it using the estimates the report provided. By its own admission, it has done so inaccurately. It had failed to add the estimated migrant population to the overall population it had based the article upon. In addition, it had not taken account of the fact, in its reporting, that the report was based on the population of the Thames Water London Water Resource Zone – rather than of London itself. This represented a failure to take care on the part of the publication – and had resulted in the publication of inaccurate

information, which had appeared in the headline, and on the front page, of the newspaper.

42. The Committee also noted that the headline referred to “one in 12” in London being an illegal migrant – it was not made clear that this was, in fact, “up to one in 12”, based on the publication’s calculations. The Committee considered that this also represented a failure to take care. While the article went on to report that “London is home to as many as 585,000 illegal migrants”, it considered that reporting that “[o]ne in 12 in London is illegal migrant” in the headline – rather than up to one in 12 – was misleading. This was because it gave the misleading impression that it had been established by the figures given in the report that this was the definitive position – rather than the highest estimated figure.

43. For these reasons, the Committee considered that the publication of the “one in 12” claim – both in the headline and the text of the article – constituted a lack of care of the publication’s part. While it was entitled to rely upon the Thames Water report, the Committee did not consider that it had taken due care in its presentation of the report’s findings. There was a breach of Clause 1 (i).

44. The publication had also included individuals with indefinite leave to remain, and children born to parents of unauthorised legal status, within the estimated “illegal migrant” population. The complainant had said that doing so was inaccurate.

45. However, the Committee was satisfied that, on this point, the publication had accurately reported the estimates provided by the report, which had included both of these categories of individuals within the “illegal migrant” population. The complainant disagreed with this categorisation, and the Committee’s view was that, ordinarily understood, the term illegal immigrant was not apt to describe those with indefinite leave to remain. However, the publication was not responsible for the accuracy of the original report. Rather, it was responsible for ensuring it accurately reported on the contents of the report, and did not present it in an inaccurate, misleading, or distorted manner. Given this, there was no breach of Clause 1 (i) on this point.

46. The Committee then turned to Clause 1 (ii). The Committee recognised that, although the “one in 12” claim was an inaccurate and misleading interpretation of the Thames Water report, there was some basis for the claim provided within the article.

47. Despite this, the Committee considered that the misleading headline was significant – the estimated population of “illegal migrants” within London was an important matter of both social and political concern and discussion. The “one in 12” claim had also appeared in the headlines of both articles – and the front page of the print newspaper – increasing its prominence and visibility to a reader. For these reasons, the headline required correction, as per the terms of Clause 1 (ii).

48. The publication had published an online correction on 31 January, both as a footnote to the online article, and as a standalone correction in its Corrections and clarifications column. It also amended the text of the article to accompany this, and to remove the “one in 12” claim. The following day, it had published a correction in print, also in its Corrections and Clarifications column.

49. Where the corrections had all been published within three days of IPSO making the newspaper aware that the complaint raised a possible breach of the Editors’ Code, the Committee was satisfied that this represented prompt action on the publication’s part.

50. Committee then turned to the wording of the corrections, and their prominence. As noted above, it did not consider itself, the complainant, or the publication, in a position to definitively rule how many “illegal migrants” live within London.

51. However, the corrections did set out the basis on which the publication had reached its calculations, as well as the errors in its original calculations. They clarified that the population figure utilised was the Thames Water Resource Zone, as opposed to the population of London itself. They also clarified that the publication had used the maximum estimated figure in its calculations. Further, they also made clear that its calculated figure should have been “up to one in 13”.

52. Finally, the Committee considered the prominence of the corrections. The Committee generally requires that corrections appear on the same page, or further forward, than where the original inaccuracy appeared – though, on occasion, other factors may mean that a more or less prominent location is required.

53. In respect of the print article, the inaccurate information had appeared on the front page of the print newspaper. The Committee had regard, however, that front page corrections or front-page flags to corrections are generally reserved for the most serious of

breaches. In this case, given the prompt steps taken by the publication to put the correct position on the record, the Committee did not consider that this represented such a breach. The Committee also recognised that a publication's corrections and clarifications column will often represent due prominence, given it is the position in which a reader would expect a correction to appear.

54. In these circumstances, the Committee was satisfied that the position of the correction represented due prominence. Although it had appeared further back in the newspaper, it was in the position a reader would expect to find it.

55. With respect to the online article, the Committee recognised that the inaccuracy appeared within the headline, and the text. However, as the inaccurate information had been removed from the article, and a footnote correction added – with a standalone correction also published in the appropriate column – the Committee was again satisfied that this represented due prominence.

56. For these reasons, the Committee was satisfied that the action taken by the publication had put the correct position on record, and sufficiently addressed the terms of Clause 1 (ii). There was no further breach of Clause 1 (ii).

Conclusions

57. The complaint was partly upheld under Clause 1 (i).

Remedial action required

58. The published corrections put the correct position on record and were offered promptly and with due prominence. No further action was required.

Independent Complaints Reviewer

The complainant 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.

Date complaint received: 23/01/2025

Date complaint concluded by IPSO: 06/06/2025

APPENDIX C

00351-25 Portes v telegraph.co.uk

Summary of Complaint

1. Jonathan Portes complained to the Independent Press Standards Organisation that telegraph.co.uk breached Clause 1 (Accuracy of the Editors' Code of Practice in an article headlined: "Enough learnt helplessness. Here's how Britain ends illegal migration", published on 24 January 2025.

2. The article was a comment piece which appeared online only. It opened by reporting:

- could be home to over half a million illegal immigrants, according to a confidential report. The study, commissioned by Thames Water, comes after years of speculation that the true size of the British population might be much higher than is officially recognised. Levels of sewage produced, electricity used, the amount of food bought, active SIM cards and individual vaccinations during Covid all suggest there is a significant hidden population living here.

- is a sobering thought that every Londoner will walk past several illegal immigrants every single day, given that they make up one in 12 of people in our capital city."

3. Further to this, the article reported: "As illegal immigrants do not pay taxes and are often willing to live in squalor that would not be acceptable to British workers, they can undercut the labour market and degrade the housing market."

4. On 23 January, the day prior to the comment article's publication, the publication had published a front-page news article in print headlined "One in 12 in London is illegal migrant".

5. On the same day, following the publication of the news article, the complainant complained to IPSO. The complainant complained to IPSO that the news article, and the headline in particular, breached Clause 1.

6. He said that according to the Office of National Statistics, London's population was around 9 million, not roughly 7 million, as the article reported. Secondly, he said that the publication had taken the "upper

bound" figure from the estimated number of illegal migrants in London to calculate the "one in 12" figure. Given this, he said the news article's headline statement was inaccurate and misleading – the correct position was that between one in 23, and one in 15, would be an illegal migrant. He said that the headline "grossly and deliberately" misrepresented data."

7. He also said, citing research by Migrant Observatory, that the Pew Research Centre's estimates – whose analysis was used in the report central to the news article – included a large number of individuals, possibly hundreds of thousands, with indefinite leave to remain in the United Kingdom. He said it also included children born in the United Kingdom to parents who do not have authorised immigration status. Neither group, he said, could be defined as an "illegal migrants"; the former had permission to remain in the country, and the latter were not migrants, as they would have been born in the UK.

8. On 31 January, in relation to the news article, the newspaper published a form of the following correction as a footnote to the online version of the news article, and in its online Corrections and clarifications column. It also published it in its print Corrections and clarifications column the following day:

– an article 'One in 12 in London is illegal migrant' the figure of 7,044,667 is the estimated population of the Thames Water London Water Resource Zone, excluding irregular migrants, not geographical London which is about 9 million. One in 12 illegal migrants was incorrect and ought to have been up to one in 13, based on the study's upper figure for irregular migrants, which includes children born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to correct the record."

9. On 30 January, the complainant complained to IPSO about the comment article. For the reasons stated in his original complaint, as set out above, he complained that the statement "[i]t is a sobering thought that every Londoner will walk past several illegal immigrants every single day, given that they make up one in 12 of people in our capital city" was inaccurate.

10. On 3 February, IPSO made the publication aware that the complainant's complaint regarding the comment article raised a possible breach of the Editor's Code. On 4 February, the publication contacted the complainant, and said that it had corrected the article. It amended the disputed extract to read: "It is a sobering thought that Londoners will walk past several illegal immigrants every single day,

given that they make up to one in 13 of people in the Thames Water London Water Resource Zone". It also published the following correction, as a footnote to the article:

In a previous version of this article it was stated that one in 12 people in London is an illegal migrant. This was incorrect. The figure is up to one in 13 in the Thames Water London Water Resource Zone, which does not cover the whole of London. We are happy to correct the record."

11. The same day, it also published a standalone correction in its online Corrections and clarifications column:

– an article 'Enough learnt helplessness. Here's how Britain ends illegal immigration' (Jan, 24) it was stated that one in 12 people in London is an illegal migrant. The figure is up to one in 13 in the Thames Water London Water Resource Zone, which does not cover the whole of London. We are happy to correct the record."

12. The complainant objected to this. He considered the publication had acted in bad faith, as it had published the correction without choosing to engage with him in correspondence. He also said that the correction was inadequate, as it failed to address several errors "admitted" by the publication, notably the inclusion individuals with indefinite leave to remain and child born to parents with unauthorised legal status when calculating the number of illegal migrants in the UK.

13. On 5 February, the complainant also disputed the line "illegal immigrants do not pay taxes" – he said this was not the case. In support of his position, he cited research from the Greater London Authority, and an article in the BBC, published in 2010, titled "The tax-paying illegal workers living in London". He also stated that "all irregular migrants pay VAT and other consumption taxes". The complainant said that this too needed correction.

14. On 10 March, IPSO began a formal investigation into the article. During this investigation, the publication did not accept a breach of the Editors' Code. It accepted, however, that the "1 in 12" claim was inaccurate, and said this was a result of a statistical error which arose in the publication of the news article, which the article under complaint was commenting on.

15. Turning to the article under complaint, the publication stated that it was a comment piece, published after and in response to the news article. It therefore included the statistical error from the news article that it was commenting on. The publication said, however, that the

statistical error did not undermine the essential thrust of the comment article, which concerned the reported high level of illegal immigrants in the London area.

16. The publication also considered that the comment article had been sufficiently corrected and amended, given the corrections it had already published as set out above. It did not consider it necessary for the correction to reference the inclusion of individuals with indefinite leave to remain, or child born to parents with authorised legal status, in the correction in question – it said this clarification was not “appropriate, necessary or proportionate” in the context of a statistical error in a comment piece commenting on an earlier news article. It also noted that the correction, in its online Corrections and clarifications column, appeared alongside its correction to the news article, which contained the reference, and was therefore easily visible for a reader.

17. Turning to the original news article, it said the range of estimates for the population of illegal migrants in London was taken from a Thames Water report, which the publication supplied to IPSO. The report included the estimates reported in the news article: “390,355 illegal migrants at its lowest to 585,533 at its highest, with a median figure of 487,944”. The publication said that it had used the upper bound figure to calculate the “one in 12” figure in the news article.

18. The publication said that, when calculating the “one in 12” figure, the estimated illegal migrant population figure of 585,000 had not been added to the overall population figure – the population of the Thames Water London Water Resource Zone, not including illegal migrants, which was 7,044,667. The population figure given in the article was therefore smaller than it should have been, resulting in the “one in 12” figure also being smaller than it would have been, had the illegal migrant population figure been added to the overall population figure. The publication said this was due to human error, but said it was an error of “statistical detail”, as opposed to an error which fundamentally altered the meaning of the article under complaint. The publication said that, in light of this, the article ought to have reported that there were “up to one in 13” illegal migrants in London.

19. During IPSO’s investigation, the publication supplied a map of the Thames Water Resource Zone, taken from the Thames Water Final Water Resources Management Plan 2019. The map showed a red line distinguishing the Resource Zone from London. The Zone covered the

majority of central London but did not cover parts of Greater London, such as Dagenham and Sutton.

20. Turning to the complainant's concern that the estimates of illegal migrants included individuals with indefinite leave to remain and children born to illegal migrants, the publication stated that this was a matter of debate for Pew Research Centre – which had produced the original data – and did not mean the article was inaccurate. It said it was understood that these groups were included in the estimates from Pew Research Centre, which meant that they would have been referred to in the Thames Water report. It also noted that the complainant was not disputing that the publication had reported on the research inaccurately.

21. The publication also referred to a report from Pew Research Centre from November 2019 which, it said, listed children born in the UK with irregular status, or children who do not have an authorised immigration status, as “unauthorised immigrants” in its “terminology” section. It also referred to an analysis from Migrant Observatory in 2020, which also noted that Pew Research Centre does not include people with indefinite leave to remain as part of its “legal resident population”. Given this, the publication did not consider that it was significantly inaccurate to include these groups of people in its calculations for the number of illegal migrants in London.

22. Further, it cited a 2025 Briefing paper from Migrant Observatory, which stated: “There are four main ways for a person to become an unauthorised migrant in the UK [...] 4. Being born in the UK to parents who are unauthorised migrants, because the UK does not have birthright citizenship”. The publication later supplied all of these documents to IPSO.

23. Regarding the complainant's concern that the article inaccurately reported that “illegal immigrants do not pay taxes”, the publication first stated that the article was not an “analysis of the work and tax status of all illegal immigrants in the UK”. It said the starting position is that, given illegal immigrants are not allowed to work in the United Kingdom, they do not pay tax.

24. Further, it commented that the BBC article supplied by the complainant, which quoted one individual identified as an illegal immigrant who pays tax, did not amount to evidence which would undermine the position set out in the comment article. Further, it noted that the Greater London Authority paper included the following

extract which, again, it did not consider disproved its position: "Evidence from the USA (which 13 seems to be the closest comparable case) indicates that many (perhaps a half of) irregular migrants already pay income tax and the equivalent of national insurance. Some regression analyses with UK evidence suggest a similar pattern may apply here too".

25. The publication also stated that the complainant's contention that illegal migrants pay VAT and consumption taxes was "stretching the concept of paying taxes" – it said the statement in the article clearly related to payment of work-related taxes.

26. In response, the complainant disputed that the correction had sufficiently corrected the record. The complainant noted that – had the figure been correctly calculated in the manner set out by the publication – the range would have been between "one in 13" and "one in 19". He said, however, "between one in 13 and one in 19" was not the same as "up to one in 13": he considered the latter statement was less misleading, and should have been made clear in the corrections. Further, the complainant said that correction did not make clear that the Thames Water Resource Zone was very different – both in terms of geography and population – to London.

27. Further, he stated that the correction did not mention that the estimates included two categories of people who are not illegal migrants. He also maintained that the article was significantly inaccurate and misleading on this point. In support of his position regarding children born to parents with unauthorised legal status, he cited the "official definition" for an illegal immigrant as set out by the UN – "A person who moves to a country other than that of his or her usual residence for a period of at least a year". He also cited the Home Office website's definition for indefinite leave to remain – "Indefinite leave to remain is how you settle in the UK [...] It gives you the right to live, work and study here for as long as you like, and apply for benefits if you're eligible".

28. The complainant also commented the article had not been corrected until he had made subsequent complaints to IPSO, despite his original complaint being ongoing.

29. Regarding the disputed reference to illegal immigrants paying taxes, the complainant disputed the publication's argument. The complainant also supplied a number of further articles to demonstrate that illegal immigrants do, indeed, pay taxes – these

articles included an individual in the United Kingdom's personal account of paying tax from her salary due to working with "another person's documents"; a paper written by the complainant and another academic titled "The Impact of Regularisation", which included an analysis of the extent to which regularising immigrants can impact tax revenues; and an analysis from the Institute of Taxation and Economic Policy regarding the contribution of undocumented immigrants to federal, state and local taxes in the USA.

30. Finally, he also stated that many illegal immigrants pay taxes via PAYE, such as if they were employed legally but their right to reside in the UK had since expired.

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.

Findings of the Complaints Committee

31. The Committee began with the disputed "one in 12" claim. It recognised, from the outset, that there was not an official count of how many illegal migrants reside in London. Neither the publication, nor the complainant, were able to provide this information, for which no confirmed and official statistics appeared to exist – the Thames Water report, and consequently the original news article, were based on estimates.

32. The Committee was clear that the publication was entitled to report upon the information from the Thames Water report in relation to its original news story – and in its subsequent coverage of this news article. However, the publication was still required to take care not to print inaccurate or misleading information, and to correct

significantly inaccurate or misleading information – the fact the comment piece was reported in response to the front page did not, in of itself, absolve the publication of these obligations.

33. The “one in 12” claim was not included in the original Thames Water report – rather, the publication had calculated it using the estimates the report provided. By its own admission, it has done so inaccurately. It had failed to add the estimated migrant population to the overall population it had based the news article upon. In addition, it had not taken account of the fact, in its reporting, that the report was based on the population of the Thames Water London Water Resource Zone – rather than of London itself. This represented a failure to take care on the part of the publication.

34. The Committee also noted that the article referred to “one in 12” in London being an illegal immigrant – it was not made clear that this was, in fact, “up to one in 12”, based on the publication’s calculations. The Committee considered that this also represented a failure to take care. Where the article specifically also omitted the range of possible estimates, it gave the misleading impression that it had been established by the figures given in the report that this was the definitive position – rather than the highest estimated figure.

35. The Committee also took into account that it did not appear the publication had conducted further research, or attempted to verify the statement, beyond relying on the inaccurate information it had previously reported.

36. For these reasons, the Committee considered that the publication of the “one in 12” claim in the comment article constituted a lack of care of the publication’s part. While it was entitled to rely upon the Thames Water report, the Committee did not consider that it had taken due care in its presentation of the report’s findings in the first instance – the replication of this inaccurate claim constituted a further failure to take due care, where it again led to the publication of inaccurate information. There was a breach of Clause 1 (i).

37. The publication had also included individuals with indefinite leave to remain, and children born to parents of unauthorised legal status, within the estimated “illegal migrant” population used to calculate the “one in 12” figure. The complainant had said that doing so was inaccurate.

38. However, the Committee was satisfied that, on this point, the original Thames Water report had included both of these categories of individuals within the “illegal migrant” population. While the complainant disagreed with this categorisation, and the Committee's view was that, ordinarily understood, the term illegal immigrant was not apt to describe those with indefinite leave to remain – the publication was not responsible for the accuracy of the Thames Water report. Rather, it was responsible for ensuring it accurately reported on the contents of the report, and did not present it in an inaccurate, misleading, or distorted manner. There was no breach of Clause 1 (i) on this point.

39. The Committee then turned to whether the inaccuracy was significant, and in need of correction. The Committee considered that the estimated population of “illegal migrants” within London was an important matter of both social and political concern and discussion. For this reason, the article required correction, as per the terms of Clause 1 (ii).

40. The publication had published an online correction on 4 February as a footnote to the online article. It also amended the text of the article to accompany this, and to remove the “one in 12” claim.

41. Where the corrections had been published within two days of IPSO making the newspaper aware that the complaint raised a possible breach of the Editors’ Code, the Committee was satisfied that this represented prompt action on the publication’s part.

42. The Committee then turned to the wording of the corrections, and their prominence. As noted above, it did not consider itself, the complainant, or the publication, in a position to definitively say how many “illegal migrants” live within London. However, the corrections did clarify that the population figure utilised was the Thames Water Resource Zone, as opposed to the population of London itself. They also made clear that its calculated figure should have been “up to one in 13” – the correct position, on the basis of the publication’s interpretation of the Thames Water report. The Committee was satisfied, therefore, that the corrections put the correct position on record.

43. Finally, the Committee considered the prominence of the correction. The Committee recognised that the inaccuracy appeared as a solitary reference within the text of the article. The article had been amended to remove the inaccuracy, and a correction added as

a footnote. Where this was the case, and the publication also published a standalone correction in the appropriate column, the Committee was satisfied that this represented due prominence.

44. For these reasons, the Committee was satisfied that the action taken by the publication had put the correct position on record, and sufficiently addressed the terms of Clause 1 (ii). There was no further breach of Clause 1 (ii).

45. The Committee then turned to the complainant's concern that the article had inaccurately reported that illegal immigrants "do not pay taxes". It noted the information supplied by the complainant – this included a number of studies in support of his position.

46. The Committee took this into account – it also considered, however, the context of the article. The disputed reference formed part of a longer piece, and, crucially, the Committee considered it was concerned with taxes paid by employed individuals specifically – rather than consumption taxes, such as Value Added Tax – given the article went on to discuss "the labour market" in relation to this point. The Committee considered there sufficient basis for the columnist's view that illegal migrants do not pay said taxes – it considered his point was broad, and not necessarily disproven by the existence of isolated examples to the contrary, such as those supplied by the complainant. The overall point being made – that people who are illegally resident in the UK will not face the same tax burdens as legal residents – did not appear to be in dispute. It did not find a breach of Clause 1 on this point.

Conclusions

47. The complaint was partly upheld under Clause 1 (i).

Remedial action required

48. Published corrections put the correct position on record and were offered promptly and with due prominence. No further action was required.

Date complaint received: 30/01/2025

Date complaint concluded by IPSO: 06/06/2025

Independent Complaints Reviewer

The complainant 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.

APPENDIX D

00421-25 Portes v The Daily Telegraph

Summary of Complaint

1. Jonathan Portes complained to the Independent Press Standards Organisation that The Daily Telegraph breached Clause 1 (Accuracy) of the Editors' Code of Practice in an article headlined "We have no clue how many people live in Britain – and Starmer doesn't care", published on 24 January 2025.

2. The article appeared on page 14 of the newspaper, under the title "Comment" and the name, and a photograph of, its author. It included the sub-headline: "The news that one in 12 people in London is an illegal migrant is likely to be an under-estimate".

3. The article then opened by reporting:

– I'm too easily surprised. When I last wrote on immigration back in the autumn I said I was 'gobsmacked' by the high legal migration figures. Well, I was gobsmacked again yesterday morning when I read this newspaper's front page, this time on illegal immigration. That as many as one in 12 people in London might be illegal immigrants is already shocking enough. The truth is, though, it might be worse than that.

– very difficult to be sure how many illegal immigrants there are in Britain. The Pew Research Centre put the number at 800,000 to 1.2 million in 2017. The consultancy study commissioned by Thames Water and reported this morning estimates the numbers in London based on the earlier study."

4. Further to this, the article reported:

– problem is, those numbers are for 2017. The worrying thing is that the real numbers may be higher by now. [...]

– difficult to know for sure what's going on because the Home Office has given up counting. In 2020 they stopped publishing statistics related to exit checks on people leaving the country. They haven't started them again. So no one outside the Home Office, and possibly no one within it either, actually knows how many people with a visa don't leave.

5. The article also appeared online, in substantially the same format. This version was published on 23 January.

6. Also on 23 January, the publication had published a front-page article in print headlined: "One in 12 in London is illegal migrant". This was the news article which the article under complaint referenced as "the newspaper's front-page [...] on illegal immigration".

7. On 23 January, following the publication of the news article, the complainant complained to IPSO that the article, and the headline in particular, breached Clause 1.

8. He said that according to the Office of National Statistics, London's population was around 9 million, not roughly 7 million, as the article reported. Secondly, he said that the publication had taken the "upper bound" figure from the estimated number of illegal migrants in London to calculate the "one in 12" figure. Given this, he said the news article's headline statement was inaccurate and misleading – the correct position was that between one in 23, and one in 15, would be an illegal migrant. He said that the headline "grossly and deliberately" misrepresented data.

9. He also said, citing research by Migrant Observatory, that the Pew Research Centre's estimates – whose analysis was used in the report central to the news article – included a large number of individuals, possibly hundreds of thousands, with indefinite leave to remain in the United Kingdom. He said it also included children born in the United Kingdom to parents who do not have authorised immigration status. Neither group, he said, could be defined as an "illegal migrants"; the former had permission to remain in the country, and the latter were not migrants, as they would have been born in the UK.

10. On 31 January, in relation to the news article, the newspaper published a form of the following correction as a footnote to the online version of the news article, and in its online Corrections and clarifications column. It also published it in its print Corrections and clarifications column the following day:

– an article 'One in 12 in London is illegal migrant' the figure of 7,044,667 is the estimated population of the Thames Water London Water Resource Zone, excluding irregular migrants, not geographical London which is about 9 million. One in 12 illegal migrants was incorrect and ought to have been up to one in 13, based on the study's upper figure for irregular migrants, which includes children

born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to correct the record."

11. On 3 February, the complainant complained to IPSO about the comment article – which forms the basis of this decision. He again said that the statement that "one in 12 people in London is an illegal immigrant" was inaccurate. He also said that the research referenced by the comment article did not refer to London; the correct figure was "between one in 13 and one in 23"; and the estimates inaccurately included children born in the United Kingdom to parents who do not have authorised immigration status, and individuals with indefinite leave to remain.

12. On 5 February – one day after the complainant made it aware of his concerns regarding the comment article – the publication published the following correction in its online Corrections and clarifications column:

– an article 'We have no clue how many people live in Britain – and Starmer doesn't care' (Jan,23) it was stated that one in 12 people in London is an illegal migrant. The figure is up to one in 13 in the Thames Water London Water Resource Zone , which does not cover the whole of London. We are happy to correct the record."

13. It also amended the subheadline to say: "up to one in 13 people in London is an illegal immigrant", and amended the text of the article to refer to "one in 13 people in London". It also published the following as a footnote to the article:

"CORRECTION: *In a previous version of this article, it was stated that one in 12 people in London is an illegal migrant. This was incorrect. The figure is up to one in 13 in the Thames Water London Water Resource Zone, which does not cover the whole of London. We are happy to correct the record".*

14. On 12 February, it also published the following correction in print, in its Corrections and clarifications column, on page 2 of the newspaper:

– an article "We have no clue how many people live in Britain – and Starmer doesn't care" (Jan 23) it was stated that one in 12 people in London is an illegal migrant. The figure is up to one in 13 in the Thames Water London Water Resource Zone, which does not cover the whole of London, and includes children born in the UK with irregular status and, it is understood, those with indefinite leave to remain. We are happy to correct the record."

15. On 10 March, IPSO began a formal investigation into the article. During this investigation, the publication did not accept a breach of the Editors' Code. It accepted, however, that the "one in 12" claim was inaccurate, and said this was a result of a statistical error which arose in the publication of the news article.

16. In respect of the comment article, the publication stated that it was a comment piece, published after and in response to the news article. It therefore included the statistical error from the news article that it was commenting on – the publication said, however, that the statistical error did not undermine the essential thrust of the comment article, which concerned the reported high level of illegal immigrants in the London area.

17. The publication also considered that the comment article had been sufficiently corrected and amended, given the corrections it had already published, as set out above.

18. Turning to the original news article – which was referenced in the comment article under complaint – it said the range of estimates for the population of illegal migrants in London was taken from a Thames Water report, which the publication supplied to IPSO. The report included the estimates reported in the news article: "390,355 illegal migrants at its lowest to 585,533 at its highest, with a median figure of 487,944". The publication said that it had used the upper bound figure to calculate the "one in 12" figure in the news article, which was then referenced by the article under complaint.

19. The publication said that, when calculating the "one in 12" figure, the estimated illegal migrant population figure of 585,000 had not been added to the overall population figure – the population of the Thames Water London Water Resource Zone, not including illegal migrants, which was 7,044,667. The population figure given in the article was therefore smaller than it should have been, resulting in the "one in 12" figure also being smaller than it would have been, had the illegal migrant population figure been added to the overall population figure. The publication said this was due to human error, but said it was an error of "statistical detail", as opposed to an error which fundamentally altered the meaning of the article under complaint. The publication said that, in light of this, the article ought to have reported that there were "up to one in 13" illegal migrants in London.

20. During IPSO's investigation, the publication supplied a map of the Thames Water Resource Zone, taken from the Thames Water Final Water Resources Management Plan 2019. The map showed a red line distinguishing the Resource Zone from London. The Zone covered the majority of central London but did not cover parts of Greater London, such as Dagenham or Sutton.

21. Turning to the complainant's concern that the estimates of illegal migrants included individuals with indefinite leave to remain and children born to illegal migrants, the publication stated that this was a matter of debate for Pew Research Centre, and did not mean the article was inaccurate. It said it was understood that these groups were included in the estimates from Pew Research Centre – which meant that they would have been referred to in the Thames Water report, and the complainant was not disputing that the publication had reported on the research inaccurately.

22. The publication also referred to a report from Pew Research Centre from November 2019 which, it said, listed children born in the UK with irregular status, or children who do not have an authorised immigration status, as "unauthorised immigrants" in its "terminology" section. It also referred to an analysis from Migrant Observatory in 2020, which also noted that Pew Research Centre does not include people with indefinite leave to remain as part of its "legal resident population". Given this, the publication did not consider that it was significantly inaccurate to include these groups of people in its calculations for the number of illegal migrants in London.

23. Further, it also cited a 2025 Briefing paper from Migrant Observatory, which stated: "There are four main ways for a person to become an unauthorised migrant in the UK [...] 4. Being born in the UK to parents who are unauthorised migrants, because the UK does not have birthright citizenship." The publication later supplied all of these documents to IPSO.

24. In response, the complainant disputed that the correction had sufficiently corrected the record. The complainant noted that – had the figure been correctly calculated in the manner set out by the publication – the range would have been between "one in 13" and "one in 19". He said, however, "between one in 13 and one in 19" was not the same as "up to one in 13" – he considered the latter statement was less misleading, and should have been made clear in the corrections. Further, the complainant said that correction did

not make clear that the Thames Water Resource Zone was very different – both in terms of geography and population – to London.

25. Further, he stated that the correction did not mention that the estimates included two categories of people who are not illegal migrants. He also maintained that the article was significantly inaccurate and misleading on this point. In support of his position regarding children born to parents with unauthorised legal status, he cited the “official definition” for an illegal immigrant as set out by the UN – “A person who moves to a country other than that of his or her usual residence for a period of at least a year”. He also cited the Home Office website’s definition for indefinite leave to remain – “Indefinite leave to remain is how you settle in the UK [...] It gives you the right to live, work and study here for as long as you like, and apply for benefits if you’re eligible”.

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.

Findings of the Committee

26. The fact that the article under complaint was published in response to the news article was clear – its subheading directly referred to the “news that one in 12 people in London is an illegal migrant”, while its text went on to make clear the writer’s view that he was: “gobsmacked again yesterday morning when [he] read this newspaper’s front page, this time on illegal immigration”.

27. The publication was entitled to report on the columnist’s response to its front-page story, provided the Code was not otherwise breached. It was not a factual report on migration within the United Kingdom, nor was the columnist reporting the “one in 12”

figure as fact. Rather, he was commenting on the inherent ambiguity regarding how many people – including illegal migrants – reside in Britain, in light of the publication’s previous coverage. For example, the article went on to comment: “It’s very difficult to be sure how many illegal immigrants there are in Britain”. It also noted that the Home Office had “given up counting”.

28. Further, the article went on to express the columnist’s view that the “one in 12” claim may not be accurate. The text of the article stated that as many as one in 12 people in London “might” be an illegal immigrant – and the columnist went on to set out his personal view that this number may be outdated, and in reality, higher than the publication had previously claimed. The Committee did not consider that this argument, central to the article, was undermined by the “one in 12” claim.

29. On the basis of these factors, the Committee did not consider that the article was inaccurate, misleading, or distorted. There was no breach of Clause 1, although the Committee welcomed that the publication had taken action to correct the article regardless.

Conclusions

30. The complaint was not upheld.

Remedial action required

N/A

Independent Complaints Reviewer

The complainant 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.

Date complaint received: 03/02/2025

Date complaint concluded by IPSO: 06/06/2025

APPENDIX E

Paper no.	File number	Name v publication
3328	05984-24	Lee v mirror.co.uk
3309	05923-24	A woman v The Times
		Muslim Association of Britain v The Daily
3333	00225-25	Telegraph
3334	06120-24	Essex Police v Daily Express
3332	06547-24	Smith v Daily Mirror Northern Ireland
3346	06605-24	Williams-Key v express.co.uk
3351	06496-24	Williams Key v express.co.uk
3361	00337-25	Williams-Key v express.co.uk
3330	06347-24	Greenaway v Kentish Express