[GB] IPSO decision on breach of Editors' Code

IRIS 2018-6:1/23

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On 5 April 2018, the Independent Press Standards Organisation (IPSO), one of the two UK press self-regulatory bodies, issued a notable decision on accuracy in news reporting. The decision concerned a complaint made by an East London local authority, Tower Hamlets Borough Council, about an article the Times newspaper headlined "Judge rules child must leave Muslim foster home", part of a series dealing with fostering arrangements. The sub-headline referred to the judge praising the newspaper for "exposing council's failure" and stated that "the judge ordered the council to conduct an urgent investigation into issues reported by the Times". The underlying concern reported by the Times was the cultural appropriateness of the placement. In the article complained of, the Times wrote that the child was "removed from her Muslim foster parents yesterday and reunited with her family as a judge urged councils to seek 'culturally matched placements' for vulnerable children". The Council complained that the reporting had created a false impression and had not reflected the fact that the Council had made the application for the child to be placed with the maternal grandmother and moreover implied that the judge's comments constituted criticism directed at the Council, a point which the Times disputed. The Council further argued that the report breached the accuracy requirements because the newspaper had not reported that the child's grandmother was also a Muslim. The Times argued that the religion of the grandmother was disputed and in any event there was a difference between living with a non-practising Muslim and with Muslims who adhered to what appeared to be a conservative form of the religion. On this basis, the Times denied that the omission had been misleading.

The IPSO Committee found that the article was misleading. The suggestion conveyed by the article overall was that there was a failure by the Council in the placement that it had organised. Further, while there may have been a delay in carrying out the necessary checks on the grandmother before the child could be placed with her, the article went further. It implied that the judge had found against the Council as regards its assessment of the child's needs in organising the foster placement. This was not what the court had decided, or even what might be implied by the ruling. In this, IPSO Committee found a breach of Clause 1(i) of the Editors' Code - that the "Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text" and, as the Times had made no attempt to correct matters, there had also been a violation of Clause 1(ii) - the obligation to correct and (where

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appropriate) print an apology (see IRIS 2018-3/19).

The IPSO Committee took a different view as regards the omission of the grandmother's religion. In this, the fact that it was accepted by all parties that the grandmother was not religiously observant was significant. IPSO also did not accept that it had been misleading to raise questions about cultural appropriateness without reporting also that the child was well taken care of, as the Council had argued. The IPSO Committee concluded that that assessment did not mean that statements regarding concerns about cultural appropriateness that the newspaper raised were untrue. The IPSO Committee also did not find that the article's claim that the complainant had tried to "block the story" breached Article 1(i). The Council had complained that certain documents had been unlawfully leaked so that the publication of the article would be an offence. Further, a security guard had tried to stop a journalist from attending the hearing; the report of this, however, was not imputed to the Council. The IPSO Committee determined that the adjudication should be published in full on page 6 of the newspaper, or further forward. The accompanying headline was to make clear that IPSO has upheld the complaint against The Times, and refer to its subject matter. The wording of the publication was to be agreed in advance. The adjudication was also to be published on the Times's website, appearing in the top 50% of stories for 24 hours.

Independent Press Standards Organisation, Decision of the Complaints Committee 20480-17 Tower Hamlets Borough Council v The Times, 5 April 2018

https://www.ipso.co.uk/rulings-and-resolution-statements/ruling/?id=20480-17

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