

***Mr Roy McIntosh v Sunday World***

Clauses noted: 1

Mr Roy McIntosh complained that an article headlined "Fairy fest probed by the PSNI" published in the Sunday World on 7 July 2002 contained inaccuracies in breach of Clause 1 (Accuracy) of the Code of Practice.

The complaint was upheld.

The complainant said that the piece, which reported on a festival he had organised in 2000, was misleading in that it described some incidents of two years ago as if they had just happened. The article was inaccurate in its description of his house, of his style of dress, of his alleged hobbies and was wrong in its claim that he was computer literate. The complainant also said that the piece was wrong in stating that a previous complaint he had made to the Press Complaints Commission had been 'thrown out'. He added that the article was incorrect in stating that a police investigation began after the Insolvency Service called in detectives. In fact, he said, the police had been investigating the festival before the Insolvency Service had started its own work.

The newspaper said that it had covered the collapse of the festival two years ago and was now updating readers on the latest events. It said that the investigation into the festival and the complainant had recently been taken over by the police from the Insolvency Service. The police had seized computers belonging to the complainant's business partner. The facts of the story were true.

The complainant maintained that the article was misleading and inaccurate on a number of counts. He said that he thought the journalist involved in writing the piece was determined to ruin him and had resurrected a 'non-story' as part of a personal vendetta.

***Adjudication***

The Commission noted that the newspaper stood by its story. However, apart from a basic denial of the allegations of inaccuracy it had failed to answer the specific complaints made by Mr McIntosh. This meant that the Commission could not make an informed judgement as to whether many of the complainant's claims were well founded. It therefore had to assume simply that the newspaper could not offer a detailed defence to the claims and had, in the circumstances, no choice but to uphold the complaint.

On one point the Commission could make a more definite judgement. The statement in the article that the PCC had 'thrown out' a previous complaint made by Mr McIntosh was misleading since no ruling had ever been made on the substance of that matter. Instead, for technical reasons of procedure, the Commission had not been able to rule on the case.

The Commission emphasised above all that, as is stated in the Code, 'it is the responsibility of editors to co-operate with the PCC as swiftly as possible in the resolution of complaints'. In this case, such co-operation by the newspaper had not been forthcoming, and the Commission was disappointed by the stance it had taken on the matter. The system of self-regulation relies on the voluntary participation of editors - indeed, it is their Code that the Commission strives to oversee - and the Commission wished to make its concern clear. It will ask the editor to ensure that complaints are more speedily dealt with in the future.

**Relevant ruling**

*Strongman v Woman's Own, 2002*

Adjudication issued 2002