

### ***Transport for London v Evening Standard***

Clauses noted: 1

Transport for London complained to the Press Complaints Commission through Eversheds Solicitors of Queen Victoria Street, London that two articles published in the Evening Standard on 21 November, headlined "81% oppose move to axe Routemaster" and "London's favourite", and a further piece published on 7 December, headlined "End of the road for the Routemaster, 1956-2005", were inaccurate in breach of Clause 1 (Accuracy) of the Code of Practice.

The Commission found that there had been a breach of Clause 1 of the Code, but considered that the steps taken and offered by the editor constituted a sufficient remedy to the complaint. No further action was therefore required.

Transport for London (TFL) complained that the articles were wrong in their assertion that an opinion poll by Populus demonstrated that as many disabled respondents as non-disabled were in favour of retaining Routemaster buses. In fact, the poll had asked respondents whether they or any member of their family had a disability, not whether they themselves were disabled. TFL said its spokesman had made clear to the newspaper even before publication that its analysis of the poll was wrong.

TFL also complained that a remark had been inaccurately attributed to its spokesman and added to a part of its official statement. The first sentence of the quote published by the newspaper in its 21 November piece (which read "The campaign to retain the Routemaster will have no effect on us whatsoever. These changes have brought better service reliability and accessibility and London has responded with millions more passengers travelling by bus ever day") was, therefore, erroneous. By TFL's account its spokesman had simply 'reminded [the reporter] of a conversation we had several months previously when he had challenged me to tell him that the Standard's campaign had made no difference in policy and I had replied it had made absolutely no difference in policy whatsoever'.

The newspaper said it had sought to clarify the position at an early stage by publishing a letter from Transport for All which took issue with its analysis of the opinion poll. It had also published an op-ed piece from Peter Hendy of TFL in which he could have referred to the Populus poll if he had so chosen. In addition to these steps the newspaper offered to publish a further correction and expression of regret for any misunderstanding.

With regard to the second part of the complaint, the newspaper did not consider that it had acted improperly. It had quoted a remark made by TFL's spokesman during an off the record part of a conversation with its journalist and had published it in conjunction with part of TFL's official response. According to the newspaper, its journalist took notes of his conversation with the spokesman straight onto his PC. These recorded the spokesman as saying 'remember 6 months ago I told you the campaign to save the Rm will have no effect on us whatsoever that's still the case'. Nevertheless, it was prepared to remove the relevant article from its website and attach a note to its archive files making clear that TFL disputed the accuracy of the reported quote.

### ***Adjudication***

The poll had asked for the views of those who were disabled or who had disabled relatives. The article had presented their opinions solely as the views of disabled people. This was clearly misleading in breach of the Code.

It was therefore incumbent on the newspaper to take steps to remedy its mistake. While it was regrettable that it had taken some time to offer a correction – which the Commission considered was necessary under the Code – the newspaper had also published a letter and some articles which made opposing points about the desirability of retaining the Routemaster buses from the point of

view of disabled people. Taken together, this was sufficient for the Commission to conclude that no further action was necessary.

In relation to the second part of the complaint, the Commission did not consider that it was possible to come to a conclusive view on what precisely had been said by TFL's spokesman, although it did not consider the two accounts were particularly far apart. Nonetheless, the Commission welcomed the newspaper's offer to remove the article from its website and to tag its internal library files with a note making clear that TFL disputed the accuracy of the quote. This was a sufficient response.

Adjudication issued 28/04/2006