

A woman v Newham Recorder

Clauses noted: 1

A woman complained to the Press Complaints Commission that an article headlined 'Bedsit killing: Gang's jailed' in the Newham Recorder on 12 December 2007 was inaccurate in breach of Clause 1 (Accuracy).

The complaint was upheld.

The article reported that five men had received life sentences for the murder of the complainant's son, Rizwan Yousaf. The complainant said that the article was wrong to say that on the day of her son's murder he had visited his landlord and 'upset [the landlord's wife] with his aggressive demands'. This had been a claim made by the defence, but CCTV footage presented to the court showed her son press the doorbell of his landlord's house and walk away after the door was unanswered.

The newspaper said that it had merely reported what was said in court, which had heard that Mr Yousaf was not an ideal tenant and that he had gone to the house for a key. The defence claimed Mr Yousaf had kicked the door of the house and hurled abuse at the landlord's wife. The newspaper said this claim was not challenged at the hearing and had provided reporter's notes which showed that the prosecutor had referred to it when questioning the defendant. The newspaper said the CCTV footage from the trial was inconclusive.

The complainant accepted that her son had visited the house for a key and that the judge had commented on the problems with his tenancy, but she emphasised that this was because he kept a dog and played loud music. The investigating police officer on the case wrote to the Commission in support of the complainant's position.

Adjudication

It was regrettable that a dispute about a small part of the article could not have been resolved at an early stage in a proportionate way. The complaint rested on the newspaper's statement that, during a visit to his landlord's house, the complainant's son had 'upset the landlord's wife with his aggressive demands'. The complainant objected that this was presented as established fact in the text of the newspaper's summary of the case, whereas in fact it was just a defence claim.

The Commission noted that the court reporter's original copy – which it saw during its investigation into this matter – was more equivocal, stating instead that Mr Yousaf had 'allegedly' upset the landlord's wife. As it was not clear from the evidence that it had been accepted as fact by the court that Mr Yousaf had upset the woman – for instance, in the judge's summing up – the Commission considered that the qualification of the word 'allegedly' should have been retained in the published article. Omitting it led to a failure to distinguish comment from fact adequately, and a breach of the Code.

Relevant ruling

Mahmoud v Isle of Wight County Press, 2007

Adjudication issued 23/04/2008