

Dr Julian Lewis MP v News of the World

Clauses noted: 1

Dr Julian Lewis MP complained to the Press Complaints Commission that an article published in the News of the World on 1st March 2009, headlined "Tory secrecy campaigner's £60k payout", was inaccurate in breach of Clause 1 (Accuracy) of the Editors' Code of Practice.

The complaint was upheld.

The article reported how the MP had received a 'second home' allowance on a property in London, despite the newspaper's claim that it was his main home.

Dr Lewis denied claims in the piece that he was 'hardly' at his constituency home in Hampshire, or that 'locals' had confirmed this: he had letters from neighbours confirming he was regularly there. In fact, he lived at this property for part of every week of the year, and when Parliament was not sitting he was there more. It was not true he had sought to 'censor' the story in advance of publication: he had simply expressed concerns about the identification of his properties, while making clear that there was 'no reason why you can't write exactly whatever story you want to write about'.

The newspaper said the piece had included a long quote from Dr Lewis setting out his position, and that it had been informed by several sources, including a local political rival and the agency that provided the photographs, that he was not often at his constituency home. However, it accepted that it could not substantiate the claim he was 'hardly there'. It offered to publish a correction on this point, and to correct the claim that he had attempted to censor the story.

Dr Lewis said this offer was inadequate so long after the original complaint.

Adjudication

The Commission was not impressed with the newspaper's evidence for claiming that Dr Lewis was 'hardly' at his constituency home: there seemed to be no convincing reason to doubt his assertion that he was there regularly throughout the year. Nor had the newspaper been able to substantiate the claim that he had sought to 'censor' the story. He had just requested that the precise location of his homes be withheld.

The central claims in the story were therefore misleading, and the newspaper should have offered a prompt and clear correction. It failed to do so until too late. The Commission was satisfied that Clause 1 (Accuracy) of the Code had been breached and upheld the complaint.

Dr Lewis raised other concerns. He said that the article had wrongly suggested that he had lied about the existence of police concerns about his security and the need to avoid identifying his properties. The newspaper had intrusively published identifiable images of his property online. It only changed these images when asked by police to do so. He also objected to the fact that readers' comments critical of the newspaper were moderated and removed from the online article. Finally, he said that the man he suspected was the newspaper's 'local' source was in fact his political rival – who was not local and had an agenda against the complainant.

The newspaper said that the complainant had suggested that the reporter contact the Chief Constable of Hampshire Police to confirm the existence of security concerns. A police spokesman, when asked if there were any reasons not to publish pictures of the properties, clearly said 'no'. This was quoted in the article. The online images did not, in the paper's view, specifically identify the locations of the houses. It provided the Commission with the original images in support of this

position, which it had amended in order to co-operate reasonably with the police, rather than because it had to. It had not published all comments to the online article because of its policy not to run submissions which carried external links. However, it accepted that this had not been made clear to posters, and indicated that it had now amended its terms to reflect this. Finally, the paper said that it was not willing to reveal the identity of the confidential sources who had contributed to the story.

Adjudication

The Commission did not consider that these further concerns raised any breach of the Code. It did not appear to be in dispute that the newspaper had reported accurately its conversation with the police spokesperson. While Dr Lewis was correct to point out that police were aware of his security concerns, the newspaper had referred to a specific conversation with a police representative about whether it could photograph his home. That said, the Commission has already found that it was not accurate to suggest that Dr Lewis's reference to security issues was an attempt to censor the story.

On the issue of the online photographs, the Commission was not persuaded that they constituted an invasion into Dr Lewis's privacy. The article referred in broad terms to the homes' locations – Totton and London – and the Commission did not consider that there was sufficient information to point directly to his specific addresses. There was no breach of the Code on this point.

The Commission also did not consider that the failure to publish comments critical of the story raised an issue under the Code, and noted that the newspaper had accounted for the reason why they had been omitted.

Finally, the Commission acknowledged Dr Lewis's strong concerns about the source for the story. The Commission was not in a position to determine unequivocally the identity of the main source, although it noted the complainant's evidence on this matter. The point for the Commission was that the article had been found to be inaccurate in respect of the information that was supplied: the source's identity was not therefore important in terms of establishing the breach of the Code.

Adjudication issued 23/07/2009