

Mr Brian Binley MP v The Daily Telegraph

Clauses noted: 1

Mr Brian Binley, Member of Parliament for Northampton South, complained to the Press Complaints Commission that references to his wealth in two articles headlined "Tory claims £57,000 to rent flat from own company" and "Brian Binley made £16,000 claim for 'picking the brains' of media adviser", published in the Daily Telegraph on 17 June and 20 June 2009 respectively, were inaccurate in breach of Clause 1 (Accuracy) of the editors' Code of Practice.

The complaint was upheld.

The articles referred to the complainant's expenses claims, alleging that he was a "millionaire" and possessed a "multi-million pound fortune". The complainant made clear his financial position in some detail, arguing that both assertions were entirely inaccurate. On no occasion had the newspaper checked this information with him before publication.

The newspaper said that the description of the complainant as a millionaire took account of the fact that he and his wife owned 40% of BCC Marketing, which employed 130 people and had a turnover of £2.2 million. It also pointed to the sale of a publishing house in 2000, in addition to a significant number of current or past directorships. Salaries, dividends and share sale proceeds - combined with capital interests in property and his salary as an MP - made it highly unlikely that the complainant was anything less than both a millionaire and a multi-millionaire, an assessment which the complainant entirely rejected. That said, the newspaper was willing to publish a clarification in the following terms:

Further to our MPs' Expenses coverage (June 17 and 20) Brian Binley MP has asked us to point out that he is not a millionaire. We are happy to make this clear.

Adjudication

Although the Commission was only being asked to adjudicate on a narrow point, it was a significant one. The newspaper had made a clear claim about the complainant's finances on two occasions and had been unable to corroborate the position adequately following the complaint, arguing only that the complainant must have amassed considerable wealth.

The newspaper did not put the claim to the complainant before publication and - despite the complainant's comprehensive analysis of his financial position - had not offered promptly to publish a correction and apology which accepted the articles were incorrect on this point.

The complaint was upheld as a result.

Adjudication issued 01/10/2009