

Michael McCann MP v East Kilbride News

Clauses noted: 1

Mr Michael McCann MP complained to the Press Complaints Commission that an article headlined "MP claims £12,000 expenses in 4 months", published in the East Kilbride News on 8 December 2010, was inaccurate and misleading in breach of Clause 1 (Accuracy) of the Editors' Code of Practice.

The complaint was upheld.

The article reported that the complainant, the Member of Parliament for East Kilbride, Strathaven and Lesmahagow, had claimed £12,133 in expenses between May and August 2010, following the release of the figures by the Independent Parliamentary Standards Authority (IPSA). In the article it stated that the complainant's expenses "include £1150 in hotel bills to fund his trips to Westminster, while he also claims for a rented property in central London". The complainant said that this was misleading as it suggested that he had claimed for hotel rooms at the same time as paying rent on a property. This was incorrect: the hotel bills were incurred before he had the property.

The newspaper said that it had accurately reported the details of the expenses as published by IPSA, which had not explained why the expenses had been claimed. The complainant had claimed both hotel expenses and rent between May and August. It had sought to contact the complainant to discuss the claims on three occasions before publication, and the issue could easily have been clarified at that time.

Adjudication

It was not in dispute that the complainant had claimed for both hotel bills and rent in the period between May and August. However, it was also not in dispute that he had claimed for them consecutively, rather than concurrently. This was an important distinction.

The key issue here for the Commission was whether readers would have been misled by the phrase "while he also claims for a rented property in central London". This phrase was ambiguous, and could certainly be interpreted to mean that the claims overlapped. The Commission considered that readers could have been misled as a result. The newspaper should have offered to clarify its meaning so as to avoid any misunderstanding. It had not done so, and the result was a breach of the Code.

Mr McCann also complained that a letter headlined "A claim too far from our MP", published in the East Kilbride News on 8 December, was inaccurate and misleading in breach of Clause 1 (Accuracy) and represented harassment in breach of Clause 4 (Harassment) of the Editors' Code.

The complaint was not upheld.

The anonymous letter - attributed to an "East Kilbride taxpayer" - criticised the complainant on the topic of his latest expenses, stating that his "first few months in office have cost the taxpayer more than almost every other MP in Scotland". The complainant said that this claim was incorrect and had been presented as fact. He also said that the criticism had appeared in the same edition of the newspaper as its own report on the issue, making much the same points. He said that the letter appeared to have been written in response to the article, and did not believe that the letter had been sent independently by a member of the public.

The newspaper said that the letter had been received by email on 3 December, and provided a redacted copy of it. The writer of the letter had asked for their name to be withheld. A number of the points raised by the author had been previously highlighted in the public domain, and it had not been in touch with the individual before publication. It had chosen not to censor the opinion of the letter writer, which had been clearly presented.

Adjudication

The Commission was not in a position to determine the provenance of the letter, which had been submitted by email. It accepted that the letter had echoed many of the points in the report, but noted that the IPSA figures had been made publicly available on 2 December, and the overall amount of the complainant's claims (and individual claims such as a £2 parking charge) had been discussed in other newspapers. Overall, the Commission was satisfied that readers would have recognised that the letter represented a reader's appraisal of the figures which had been released. No inaccuracy could be established on this point and there was no breach of Clause 1.

In addition, the Commission has previously ruled that Clause 4 "relates to physical harassment of individuals by journalists and/or photographers in the newsgathering process". A letter of criticism about a local MP published by the newspaper would not raise an issue under this Clause of the Code.

Adjudication issued 02/02/2011