

## **PCC turns down Wayne Rooney complaint against The Sunday Times**

The Press Complaints Commission (PCC) has ruled that an article in The Sunday Times did not breach the Clauses 1 (Accuracy) and 2 (Opportunity to reply) of the Editors' Code of Practice, following a complaint from the England and Manchester United footballer Wayne Rooney.

The article reported on the tax arrangements of a number of footballers, claiming that Mr Rooney had saved nearly £600,000 by taking £1.6m in loans rather than as income, over a two year period. Mr Rooney said that the headline ("Top footballers dodge millions in income tax: Rooney pays 2% on some earnings") was inaccurate and misleading: the loans were in fact subject to corporation tax at 28% while, in any case, it would not be possible for any person to pay a rate of 2% on any part of their earnings. Furthermore, the loans were paid back the following year, which had not been mentioned in the article.

The newspaper defended the article on the basis that current legislation classified such personal loans offered by limited companies (which was a perfectly legal tax mitigation device) as a benefit in kind, thus incurring a rate of only 2% on the total sum of the loan. Mr Rooney had, it argued, employed such a strategy by structuring some of his finances through a limited company. It further contended that readers would not have been misled by the headline, and would have understood that the arrangement would be explained in the text of the article itself. A further article in the same edition of the newspaper had also covered the issue.

In its ruling, the Commission did not find a breach of Clause 1 of the Code. It acknowledged that the headline did require "further explanation" because it was not "the full position", but this information was covered in the articles themselves. The articles made clear that not only was the arrangement legal, but that the money - which had already been subject to corporation tax - was a director's loan in respect of which tax was paid. They also made clear that it was likely that the loan would have to be repaid. In any case, the newspaper offered to make clear that Mr Rooney paid all his taxes at the legally required rate, which the Commission considered to be a "sensible and proportionate" response. As a result, Clause 2 (Opportunity to reply) of the Code was not relevant.

Stephen Abell, Director of the PCC, commented: "This was a complicated financial arrangement and it was important for the Commission to consider the circumstances in full. The Commission's case law consistently makes clear that headlines - which are by their nature reductive - need to be read alongside the accompanying article. Although the PCC has upheld complaints in the past where there has been too great a disparity between the headline and the text of the article, this was not a feature on this occasion. As a result, the complaint was not upheld".

**ENDS**

### **Notes to Editors:**

1. The PCC is an independent body which administers the system of self-regulation for the press. It does so primarily by dealing with complaints, framed within the terms of the Editors' Code of Practice, about the editorial content of newspapers and magazines (and their websites, including editorial audio-visual material) and the conduct of journalists.
2. To read the adjudication, please [click here](#).
3. For more information, please contact Jonathan Collett on 020 7438 1246 or 07740 896805.

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