

***Mr Tim Bonner, Head of Media for the Countryside Alliance v Western Daily Press***

Clauses noted: 1

Mr Tim Bonner, Head of Media for the Countryside Alliance, complained to the Press Complaints Commission on behalf of the Alliance that a reader's letter headlined "Hooligans on horseback take note" published in the Western Daily Press on 5 August was inaccurate in breach of Clause 1 (Accuracy). It raised further concerns that an editorial headlined "It is time to quit, Mr Hart" published in the same newspaper on the 10 August was inaccurate in breach of Clause 1 of the Code of Practice.

Following the offer of remedial action on the part of the newspaper, the Commission did not consider that there were any further issues to pursue under the terms of the Code.

The complainant claimed that a reader's letter which asked "why is it perfectly all right for hunts to train dogs to chase to exhaustion, drag down and maul a pregnant deer to death?" was inaccurate in breach of Clause 1 of the Code. He made clear that the Countryside Alliance fully accepted the right of newspapers to publish different views, and emphasised that its concerns rested only with the publication of inaccurate information which could have been confirmed as such with little research.

The newspaper published a letter from Simon Hart, the Chief Executive of the Countryside Alliance, which made clear that the description was inaccurate and that "skilled personnel shoot deer culled at point blank range" and which called on the newspaper to apologise. A note was added from the editor which said the writer of the letter was entitled to his opinion and that no apology would be given.

The newspaper also pointed out that the letter which contained the alleged inaccuracy may have drawn on a previous published letter which had described a "hind hunt" as "a particularly abhorrent practice whereby hounds chase down an often heavily pregnant deer". It added that it regarded letters as broadly accurate if to the best of its knowledge they had a ring of truth about them. In this instance, video evidence and the previously published letter made the latest comment seem fair.

The complainant made a second complaint about an editorial in the newspaper which he said inaccurately described the Alliance's conduct when making the first complaint. It was not true that they had used "bully boy tactics" to try to "gag" the newspaper by using "threats". The newspaper's claims that the Alliance had tried to "stop us publishing views you do not agree with" and that "we hear from your organisation that everything we print from your opponents is lies and distortion" were also untrue.

Regarding the complainant's second point, the newspaper said that this description expressed its opinion of the organisation's conduct. The newspaper made clear that it felt that the Alliance was trying to "browbeat" it. It claimed that this was fair comment given the Countryside Alliance's apparent belief that the newspaper must accept only its view of what was inaccurate, misleading or distorted. The newspaper believed that this amounted to "bully boy" tactics, although it did offer to publish a letter from the complainant.

***Adjudication***

Considering the first aspect of the complaint under Clause 1, the Commission noted that the description to which the complainant had objected had previously appeared in a reader's letter. In this earlier letter, a reader had described a hind hunt which he had attended as "a particularly abhorrent practice whereby hounds chase down an often heavily pregnant deer". The description under contention was therefore one individual's response to another reader's personal account – and therefore clearly distinguished from fact within the terms of Clause 1 – of a hind hunt.

Nonetheless, the complainant had wished to challenge the veracity of this account and the newspaper had published a letter from the chief executive of the Countryside Alliance. In the Commission's view this was a proportionate and appropriate response to an allegation that a reader's letter had contained an inaccuracy. The Commission would not normally expect a newspaper to apologise for an inaccuracy that was contained in a letter submitted by a third party – but to take steps to put the record straight if such a mistake came to light. That had happened in this case, and no further action was required on this point.

Regarding the complainant's second complaint, the Commission noted the newspaper's contention that it had simply published its opinion of the complainant's behaviour. However, it strongly discourages editors from criticising people who wish to make complaints to the PCC, something that is not within the spirit of the Code. One of the key advantages of the system of self-regulation is that it is deliberately not adversarial. Complainants must be able to complain to the Commission without fear of being ridiculed for doing so. In this case, it appeared that the editor had taken the view that the complainants were abusing the Commission's procedures in order to pursue their political objectives by attempting to have readers' views censored. The Commission believed that while his reaction might have been somewhat disproportionate, there was no particular merit in censuring him for publishing his robust view about the complainant's motives in complaining. The Commission took account of the fact that the complainant represented an organisation with a particular point of view to promote, and was not a member of the public. Moreover, it noted that the newspaper had co-operated fully with the PCC investigation once it had been initiated. It also noted that the editor had offered to publish a letter from the Alliance, in which they could have responded to what they saw as the editor's over reaction to their complaint.

Relevant ruling

A woman v London Jewish News, 2003

Adjudication issued 2004