

***Mr David Yallop v The Sunday Times***

Clauses noted: 1

Mr David Yallop complained to the Press Complaints Commission through Hextalls Solicitors that an article headlined "Stranger than fiction", published in The Sunday Times Magazine on 16 January 2005, contained inaccuracies in breach of Clause 1 (Accuracy) of the Code of Practice. He also complained that the newspaper had failed to co-operate properly with the PCC in breach of the preamble to the Code.

The complaint about the newspaper's conduct during the PCC investigation was upheld. No further action was taken under Clause 1 following the newspaper's offer of a correction.

The article was a feature on controversial aspects of the history of the Catholic Church. The complainant – author of "In God's Name", an investigation into the death of Pope John Paul I in 1978 – said that the article had misrepresented the content and conclusions of his book.

The Commission's usual approach is to try to resolve such matters amicably, without the need for formal adjudication. During negotiations, however, the newspaper published a correction without the complainant's approval and in spite of a request from the Commission not to do so. The complainant argued that such unilateral publication led to a failure to co-operate adequately with the Commission in breach of the Code. Moreover, the correction – which did not include an apology – had not been given due prominence.

*Adjudication*

The Commission considered that the wording of the correction adequately addressed the significant points of contention and was therefore sufficient under the terms of the Code. Given the nature of the inaccuracies – which referred, in the main, to the newspaper's interpretation of the complainant's book – this was not an occasion on which an apology was necessary. In addition, the Commission decided that publishing the text in the designated corrections section of the newspaper, under the heading "Correction", satisfied the Code's requirements on due prominence.

However, the Commission had serious concerns about the manner in which the newspaper had approached its attempts to resolve the matter. Publishing a correction which had not been agreed with the complainant, despite a request from the Commission not to do so, was neither within the spirit of the system of self-regulation nor within the letter of the Code of Practice which requires editors to co-operate with the PCC in the resolution of complaints. This – coupled with the length of time taken by the newspaper to respond to the complaint – represented a breach of the Code for which the Commission censured the editor.

Adjudication issued 2005