

Mr George Millichamp v Brecon & Radnor Express

Clauses noted: 1

Mr George Millichamp of Powys complained to the Press Complaints Commission that the Brecon & Radnor Express had reported the outcome of his court case misleadingly and insufficiently promptly in breach of Clause 1 (Accuracy) of the Code.

The complaint was upheld.

A charge of assault against the complainant was dismissed by Llandrindod Wells Magistrates Court in October 2004. The newspaper had previously reported that he had appeared before magistrates denying the charge, but it did not report his acquittal. The complainant contacted the paper several times asking for the outcome of the case to be published, along with the name of the person he was acquitted of assaulting. The newspaper said the omission was a result of its reporter having been absent from court through illness, and that the onus was now on the complainant to prove that he had been acquitted before it would publish anything further.

When this evidence materialised some months later during the Commission's investigation into the case, the editor published a short paragraph simply saying that the complainant had been acquitted of a charge of assault in October 2004.

The complainant said that the editor's reluctance to publish an apology had caused great stress and upset, and that the long delay between the outcome of the case and the publication of his acquittal had led some people to ask whether he had been in further trouble.

Adjudication

The Commission did not agree that the onus was entirely on the complainant to produce evidence that he had been acquitted of the charge. The editor appeared to have made no effort to find out what the correct position was – despite the fact that the complainant had contacted the paper several times to point it out. In the particular circumstances of this case, failure to publish the verdict created an unnecessarily misleading impression about the complainant's position for several months in breach of Clause 1. The Commission did not consider, however, that the editor was obliged to name the person the complainant was acquitted of assaulting, who had not, after all, been identified in the original piece.

Adjudication issued 2005