

Mrs Shirley Knox v Castle Point Echo

Clauses noted: 1

Mrs Shirley Knox of Canvey Island complained to the Press Complaints Commission that an article headlined "Island High St Hygiene Shock", published in the Castle Point Echo on 3 September 2008, contained inaccuracies in breach of Clause 1 (Accuracy) of the Code of Practice.

The complaint was upheld.

The article reported that the complainant's fish and chip shop, together with three other businesses, had been criticised for lax hygiene standards in an environmental health report.

The complainant said that there were a number of inaccuracies in the piece. The inspection had taken place nine months before the article was published, shortly after the complainant took over the business – and yet was referred to in the newspaper as part of "the latest food safety report". The piece had exaggerated the severity of the criticism in a manner that could not be substantiated in the report: the restaurant was not "filthy" nor was "slammed" on the basis of hygiene standards; staff were not "caught not wearing proper, clean protective clothing". While the inspection had referred to one dirty blade on a heavy can opener, the article reported a "stash of dirty equipment". The negative coverage had severely affected her business.

The newspaper said that the article and headline accurately reflected the findings of Castle Point Council's inspection – and that this report, which it had obtained under the Freedom of Information Act, was the most recent one published. The report referred to eight legal contraventions (and five advisory items on food safety) in relation to the complainant's business. It said that the dirty can opener would cause "contamination of the food in the next tin opened", and that the complainant should "ensure that all persons working in food handling areas wear suitable, clean and where appropriate, protective clothing". It also concluded that "it was apparent...that some food handlers had not received food hygiene training".

Nonetheless, the newspaper first offered to run a follow-up story or published letter. It then offered to print an apology, correcting the can opener point and making clear the timing of the inspection. The complainant was unwilling to accept this offer and requested a more extensive front page apology.

Adjudication

The Commission was concerned that the newspaper had published strong and prominent criticisms of the complainant's restaurant that could not be fully justified by the inspection report. The article was misleading in its failure to make clear when the inspection took place (some nine months before publication) and in its overstatement of the severity of the alleged hygiene concerns.

In light of the possible damage that such reporting could have had on the complainant's business, the newspaper should have taken much greater care to ensure the coverage was accurate. The complaint also demonstrated the importance of not taking material obtained under the Freedom of Information Act out of context.

While the Commission welcomed the eventual offer to apologise to the complainant, it felt that this was a significant breach of the Code that could not be remedied with an apology. The complaint was, therefore, upheld.

Adjudications issued 11/02/2009