

Nicholas Stubbs v South Wales Evening Post

Clauses noted: 1

Nicholas Stubbs of Swansea complained to the Press Complaints Commission that an article headlined "Road Rage Attack Terror", published in the South Wales Evening Post on 22 November 2008, was inaccurate in breach of Clause 1 (Accuracy) of the Code of Practice.

The complaint was not upheld.

The article - which started on the front page and continued on page 5 - said that Mr Stubbs had been sentenced to a 12 month suspended sentence after pleading guilty to assaulting Lee Davies, a disabled car driver. The front page piece said Davies had been "throttled as he sat in his car and told his house would be burned down".

Mr Stubbs said it was wrong to state as fact on the front page that he had threatened to burn down Mr Davies's house. No charge of making threats to kill had been brought, and the prosecution's statement had only been left unchallenged by the defence as it had been made during the sentencing part of the trial (after he had already pleaded guilty to assault).

The newspaper maintained that the article was an accurate report of the trial. While the front page piece had stated as fact that Mr Stubbs had made threats, this had clearly been attributed to the prosecuting solicitor in the article on page 5. In any case, as it had been stated in court and not challenged, it could be reported as fact once the trial was completed.

Adjudication

It did not seem to be in dispute that Mr Stubbs - for whatever reason - had had an argument with Mr Davies and assaulted him. Whether or not Mr Stubbs had been charged at any point with a threat to kill Mr Davies was not particularly relevant, as it seemed that the prosecuting solicitor had nonetheless told the court that he had threatened to burn Mr Davies's house down during the incident. While the Commission could understand why the complainant might object to this assertion being made, as he did not accept it, the newspaper was nonetheless entitled under the Code to report it in the context of the conviction. Against the backdrop of Mr Stubbs's guilty plea, what was apparently said in court, and the fact that there was no doubt that he had lost his temper with Mr Davies, the Commission did not consider that there was any significant inaccuracy in the coverage of the case that required correction.

Adjudication issued 30/07/2009