



*From the Director*

John Whittingdale OBE MP  
Chairman, Culture Media and Sport Select Committee  
House of Commons  
London  
SW1A 0AA

5<sup>th</sup> March 2009

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Sir Christopher Meyer

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The Right Rev. John Waine KCVO  
Tina Weaver  
Peter Wright

**DIRECTOR**  
Tim Toulmin

It was good to see you and your colleagues here yesterday.

I said I would send you a copy of our ruling on the Peaches Geldof case, which sets out why we did not agree with Mr Coad that a front page apology was necessary, and a list of pro-active action we have taken in relation to major news stories since the last Select Committee inquiry.

Incidentally, you may wish to know that Mr Coad is now suing the Daily Star on behalf of Ms Geldof. This is quite unusual behaviour. When it happens, it can regrettably threaten to undermine our service because newspapers become suspicious that the PCC is being used as a stalking horse for defamation action, and can become reluctant to co-operate fully and openly in future cases. The second apology that the Daily Star published on page 2, which included the photograph, is also enclosed.

We look forward to seeing you on the 24<sup>th</sup> March.

With kind regards.

Tim Toulmin



List of proactive approaches undertaken by the PCC since 2007

**Cumbria rail crash**

We contacted British Transport Police to alert them to the PCC's work in light of the train crash (26 February 2007).

**Kidnap of British nationals in Ethiopia**

We sent literature and information to the families of those missing in Ethiopia, care of the British Council (6 March 2007).

**Detention of British military personnel in Iran**

Following the return to the UK of 15 Royal Navy / Royal Marine personnel who had been detained in Iran, we wrote to the MOD advising how the PCC could help, should the sailors and their families need help with unwanted press attention (5 April 2007). The PCC and MOD now have a good working relationship and we regularly speak to MOD 'media shielders' about our work.

**Disappearance of Madeleine McCann**

On 5 May 2007, we contacted the British Embassy in Portugal to remind them that the PCC's remit extends to the way that British journalists go about their business abroad, and suggesting that our contact details be passed to the McCann family if appropriate.

**Murder of Meredith Kercher**

Shortly after the death of Meredith Kercher, we contacted the British Embassy in Rome and Richard Ottaway MP (the constituency MP for the family) offering our support to the family (8 November 2007)

**Bridgend suicides**

On 19 February 2008, we wrote to South Wales Police and the Association of Chief Police Officers explaining how the desist notice system works and reminding them of the various sections of the Code which may be relevant to families and friends concerned about press reporting.

**Mumbai attacks**

Following the bombs in Mumbai in November 2008, we contacted the Consulate Directorate at the FCO to remind them of our services. This was communicated to the Crisis team set up to handle the response to the attacks (28 November 2008).



## ADJUDICATION

Peaches Geldof complained, through Swan Turton solicitors, to the Press Complaints Commission that an article published in the Daily Star on 29<sup>th</sup> September 2008 headlined “Peaches: Spend night with me for £5k” was inaccurate in breach of Clause 1 (Accuracy) of the Code.

Following sufficient remedial action from the newspaper, no further action was required.

The front page article claimed that the complainant received payment from people “desperate for her company” and that she and “her girlie pals rake in the mega-bucks fees for providing their services at A-list parties”. Her solicitor argued that this could only mean that she was exchanging sexual favours for money at celebrity events, which was – of course – entirely false. He provided examples of Google searches of the phrases used on the front page (such as “girl £5000 night” and “spend night with me”), which returned results related to the sex industry. He said the fact that the newspaper had decided to give over an entire front page to the story must mean that it was making allegations of a highly scandalous nature (i.e that his client was connected to the sex industry, rather than that she merely attended parties). An article on page 5, to which the front page text referred, contained the claim that the complainant was paid £5000 merely to attend A-list parties. This was also inaccurate: she was only paid for her performances as a DJ. This second article – with its headlines “Peaches & Dream” and “Hire Geldof babe or her pal for just £5k a night”, accompanied by photographs of Ms Geldof at a lingerie shoot – also wrongly suggested that the claims had a sexual nature.

The newspaper accepted that the front page article was not supported by the text of the page 5 article. But it pointed to the fact that the latter article did refer to the fact that the complainant was paid for her work as a DJ: a source was quoted referring to Ms Geldof “do[ing] a bit of DJing”, and her spokesperson was quoted saying Ms Geldof will only attend events “when she thinks the brand is worth supporting, and that’s when she is DJing there”. This article contained no claims that the services were of a sexual nature. It was willing to publish the following apology, above the fold on page 2 or 5, with a photograph to increase the prominence:

*“In our edition of 29 September we ran an article on our front page and page 5 about Peaches Geldof. The front page article carried the headline **“PEACHES: SPEND NIGHT WITH ME FOR £5K”**. The article went on to state that “Peaches and her girlie pals rake in the mega bucks for providing their services at A-list parties”. We now accept that Peaches does not charge a fee to attend parties or events like London Fashion Week as was claimed in the article. We also apologise to Peaches for the implication in the headline that she provided services of a personal or sexual nature for the payment of a fee.”*

The complainant was content with the wording, but felt that it should be published on the front page. He argued that both the newspaper and the PCC have previously accepted, in other cases, the principle that front page stories warrant front page apologies. Millions of people would have only seen the front page, which wrongly (and deliberately) suggested that she was offering sexual services. The newspaper



had been informed in advance that the claim about being paid to attend parties was wrong, which made the error worse and the need for prominence greater.

*Adjudication*

The Commission agreed with the complainant that Clause 1 (Accuracy) of the Code had been breached. The newspaper had wrongly claimed that the complainant received money for “showing up” to parties. This was inaccurate, as had been made clear to the newspaper before publication. There was also the issue of the non-specific claims made on the front page. The Commission had some sympathy with the complainant’s concerns about this too. While the newspaper may have intended it to be tongue-in-cheek, the Commission considered that the deliberately suggestive headline was likely to mislead some readers, even if the text on the front page stopped short of making any direct claims about how she specifically earned money.

This was all sloppy journalism, which had fallen well short of the high standards of the Code. On that basis, it was clearly necessary for the newspaper to apologise to the complainant. Both parties had agreed on a wording that corrected the central factual inaccuracy and addressed the implication of the front page. The only question for the Commission related to prominence: was it necessary for the agreed text to appear on the front page?

It did not consider that it was. While the front page may have been open to a certain interpretation, it did not contain any specific claims about the “services” offered by the complainant. The inside article did not suggest that the services were in any way sexual, and made clear that they related to non-controversial entertainment at parties.

As the front page article did not carry a specifically inaccurate claim, and as the main inaccuracy was on page 5, the decision to locate the apology prominently on page 2 (with a photograph) was, in the Commission’s view, proportionate. The Commission hoped that the complainant would now accept the offer in order that the newspaper could publicly apologise for its errors.



# Terror anger

Secretary Jacqui Smith last night attacked a freeing four terror suspects on bail. The men, on Thursday, are feared to have links to

Police Mitting said ministers "failed to prove they risk of disappearing".

Smith fumed: "My top priority is to protect the and I have argued that there is a risk that these als will abscond if they are not detained."



# Peaches Geldof

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parties". We now accept that Peaches does not charge a fee to attend parties or events like London Fashion Week as was claimed in the article. We also apologise to Peaches for the implication in the headline that she provided services of a personal or sexual nature for the payment of a fee.

# MINISTERS MISLED OVER

# THE SHRED

# Ministers' fury

