

***Mr Anthony Talbot v Swindon Advertiser***

Clauses noted: 1

Mr Anthony Talbot complained to the Press Complaints Commission that a front-page article headlined "Junior school head guilty of raping child", and a further article headlined "School headteacher admits raping child", published in the Swindon Advertiser on 29 June 2010, were inaccurate and misleading in breach of Clause 1 (Accuracy) of the Editors' Code of Practice.

Following the remedial action taken by the newspaper, no further action was required.

The articles reported that the complainant, a local primary school headteacher, had admitted eleven charges relating to the rape of a child. In fact, the complainant had been convicted of indecent assault, having pleaded guilty to these offences. He had pleaded not guilty to rape, and had not been convicted of rape. The complainant was also concerned that the front-page headline suggested misleadingly that the crimes had been committed while he was serving as a headteacher, or were related to the school. The offences had taken place between 1978 (when the complainant was thirteen) and 1981. Following direct correspondence between the parties, a front page correction had been published by the newspaper which accepted the error in regard to the rape charges.

The newspaper said that it had contacted Cardiff Crown Court which went through the 28 charges with the reporter. The information had been checked three times with the court, and subsequent enquiries with Gwent Police and Swindon Borough Council had not suggested that the information was incorrect. As soon as it became aware that the details were wrong it had corrected this on the front page, on its website and had removed the original online article. Notwithstanding this error, the front page was not misleading as it was a "poster front with a cross reference to the story which appeared on page 5".

*Adjudication*

The newspaper had been fully entitled to report the outcome of the court case, which involved allegations of sexual offences against the complainant, who was a local primary school head teacher. Nonetheless, it also had a responsibility under the Editors' Code to "take care" to ensure that the information it presented was not inaccurate or misleading in a significant manner.

The Commission accepted that the newspaper had published information about the conviction taken in good faith from the appropriate sources (primarily the court itself). The information, however, subsequently proved to be inaccurate. Although there were good grounds for the newspaper to have used this material, it was still right that it corrected the errors, promptly and with due prominence. The apology published by the newspaper constituted sufficient remedial action in regard to the published inaccuracies about the details of the complainant's conviction.

There was an additional point, however. The Commission had to consider whether the original front page had given the misleading impression that the complainant had committed the offences while he was a head teacher. This was a matter of considerable debate between Commissioners. It was felt that the newspaper could have done more to make clear on the front page the full context of the situation: that the offences had been committed by the complainant many years earlier, before he became a teacher and, in relation to a number of the offences, whilst he was a minor. As it stood, the front page had the potential to mislead.

There were other factors for the Commission to consider. There was no doubt that the profession of the complainant was relevant to the story, and could be legitimately highlighted (as he had been prosecuted and convicted while a serving head teacher). The front page also clearly directed readers to the full story on page 5, which informed readers that the offences pre-dated the

complainant's position as a teacher. Finally, the front page correction had specifically referred to the time period (around thirty years ago) in which the offences had been committed.

In light of these factors (especially the front page apology), the Commission was satisfied that any misleading impression about the complainant's offences would have been satisfactorily corrected. It did not consider that any further action was necessary from the newspaper.

Adjudication issued 25/11/2010