

**Commission's decision in the case of
Jones v Daily Mail**

Reference no. 142757

The complainant considered that the newspaper had breached Clause 1 (Accuracy) of the Editors' Code of Practice by publishing inaccurate and misleading information in an article about draft guidance - published by the Department for Environment, Food and Rural Affairs (Defra) - on recycling.

Clause 1 (i) states that "the press must take care not to publish inaccurate, misleading or distorted information, including pictures", and Clause 1 (ii) says "a significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence".

The sub-headline in the online edition of the article said "Brussels has set a target for 50% of waste to be recycled per home"; the complainant said that this was inaccurate as the target actually requires that over 50 per cent of municipal waste should be recycled. The newspaper accepted the complainant's position that the article had been inaccurate on this point. There had been a failure to take care not to publish a significant inaccuracy, and the newspaper was obliged under the terms of 1 (ii) of the Code to correct the inaccuracy promptly and with due prominence.

The newspaper had amended the sub-headline and appended the following correction:

"An earlier version of this article wrongly said that Brussels had set a target of 50% of waste to be recycled per home. In fact, as the sub-heading now makes clear, the target is for 50% of the total amount of waste to be recycled."

As the inaccuracy had only appeared in the online edition of the article, the Commission was satisfied that this was sufficient to remedy the initial breach of the Code.

The complainant was concerned that the article gave the misleading impression that recycling is being made compulsory for households; compulsory rubbish recycling schemes relate to waste collection authorities (WCAs), rather than households. The article said that "every home in the country will have to cope with compulsory rubbish recycling schemes". While the Commission noted the complainant's concerns, the article had suggested that households would have to cope with the impact of any schemes introduced by the relevant authorities; it had not stated that there was a new compulsory obligation for households. While the Commission acknowledged there was some ambiguity on this point, it was, on balance, satisfied that the article had not been significantly misleading. There was no breach of the Code on this point.

The complainant said that the article inaccurately suggested that households will require a larger number of bins. The headline stated "More bins on way in recycling drive". The Commission made clear that it considers headlines in the context of the stories that accompany them rather than as standalone statements. The text of the article said "this will mean that many homes will need more bins", this represented the newspaper's interpretation of the unfinished guidance which had suggested that the separate collection of glass might be necessary to improve the quality of the recycle. The Commission found that this view had been presented as the newspaper's conjecture, rather than a statement of fact. There was no breach of the Code on this point.

The complainant was concerned that the article did not make clear that the document was never issued to councils and does not have any status. The newspaper had been entitled to report the contents of the unfinished guidance which had been published by Defra following a request for

information. Defra had not suggested that the guidance was inaccurate; the Commission noted that the covering note made clear that the draft guidance had not been completed as it was “unlikely to add much to what was already set out in regulations and other documents”. In this context, the omission of the fact that the guidance was unfinished was not significantly misleading. There was no breach of the Code on this point. The Commission did, however, welcome the newspaper’s assurance that it would update the article should any final guidelines differ materially from the draft ones. The Commission also noted that it had not received a complainant from a representative of Defra regarding this matter.

The article reported that the recycling rate of waste from households in September was down from the previous year. The complainant said that the article presented the figures as a trend, rather than the first fall on record. While the Commission noted the complainant’s concern, it took the view that the newspaper had been entitled to report the latest figures, the accuracy of which the complainant had not disputed. There was no breach of the Code.