

COMPLAINT ADJUDICATION

**Marc Harris
and
the SKWAWKBOX**

Clause 1. Accuracy

1.2. Publishers must correct any significant inaccuracy with due prominence, which should normally be equal prominence, at the earliest opportunity.

1.4. Whilst free to be partisan, publishers must not misrepresent or distort the facts.

Complaint Upheld

Breach of Clause 1.2 and 1.4

Before IMPRESS Regulatory Committee A

David Leigh, Pam Vick, Shelina Janmohamed, Walter Merricks (Chair)

10 February 2020

1. Summary of Complaint

- 1.1. The Complainant is Marc Harris, a third-party seeking to ensure the accuracy of published information. He has confirmed to IMPRESS that he is not an affected party or the representative of an affected party.
- 1.2. The Respondent is The SKWAWKBOX, a news website covering current affairs that has been regulated by IMPRESS since 1 October 2017.
- 1.3. The complaint concerns an article that first appeared in The SKWAWKBOX on 9 December 2019 with the headline, *“Exclusive: Union of Orthodox Hebrew Congregations head, leader of 35,000 Jewish citizens, endorses Corbyn”*.
- 1.4. The complaint is assessed against the IMPRESS Standards Code, the relevant clauses are:

Clause 1 (Accuracy)

1.2. Publishers must correct any significant inaccuracy with due prominence, which should normally be equal prominence, at the earliest opportunity.

1.4. Whilst free to be partisan, publishers must not misrepresent or distort the facts.

2. Background

- 2.1. The article concerned a letter dated 9 December 2019 published by Rabbi Ephraim Padwa, the head of the Union of Orthodox Hebrew Congregations (UOHC), about the leader of the UK Labour Party, Jeremy Corbyn. The article included the following translation of the letter:

We were shocked to learn about those who are disseminating rumours and blaming the leader of the Labour party Mr Jeremy Corbyn that he is an anti-Semite and so forth.

We therefore proclaim our view that we have no connection whatsoever with these irresponsible actions.

Jews are faithful to G-d and his Torah and seek the peace of the country they reside in and respect their leaders, and heaven forbid it wouldn't cross their mind to confront political leader, as our sages taught us and as we have been instructed by novi [prophet] Jeremiah (as stated in the book of Jeremiah, 29, 7) 'seek the peach of the town I have exiled you there, and pray for her sake to G-d for with her peace you will have peace'.

In the merit we will endure the burden of exile and continue the ways of modesty here like the thousands of years of our exile in all generations, we shall be accredited to be saved from all calamities."

2.2. The article went on to explain that the Orthodox Jewish community represents a quarter of the UK's Jewish population.

2.3. The article concludes by referring (and linking) to a letter signed by 34 senior Orthodox rabbis of the UOHC in 2018. The article suggests that the letter is supportive of Jeremy Corbyn. The article says that the 2018 letter was "attacked as fake" by Corbyn's opponents but had been "proven to be genuine".

3. The Complaint

3.1. The Complainant contacted The SKWAWKBOX on 10 December 2019 and made a complaint on the grounds of accuracy. The Complainant rejected a resolution proposed by SKWAWKBOX to replace the word "endorses" in the headline with "backs" and elected to escalate his complaint to IMPRESS. A full copy of correspondence between the parties was provided to the Regulatory Committee.

3.2. The Complainant subsequently made a complaint to IMPRESS, and after seeking clarification of the basis for the complaint, IMPRESS confirmed the substance of the complaint as follows, a full copy of which was provided to the

Committee. The Complainant argues that a breach of Clause 1.2 and Clause 1.4 of the IMPRESS Standards Code has occurred.

- 3.3. The Complainant claims that the headline of the article misrepresents and distorts both the information contained within the 2019 letter as well as the main body of the article more generally. The Complainant specifically says that the headline claim, that the Rabbi “endorses” Jeremy Corbyn, was not supported by the text of the article and therefore the headline was inaccurate and misleading.
- 3.4. Furthermore, the Complainant says that the article was first published three days before the 2019 General Election and that in this context, the use of the word “endorses” would be understood by the reasonable reader to mean declaring public support for a party or individual.
- 3.5. Moreover, the Complainant argues that a person or organisation defending an individual against attacks (in this case Rabbi Padwa defending Mr Corbyn against attacks) should not be regarded as the same as that person or organisation wanting that individual to win an election.
- 3.6. Regarding Clause 1.2, the Complainant argues that the “endorses” claim made in the headline was significantly inaccurate and when brought to the attention of the Publisher it was not corrected with due prominence at the earliest opportunity.
- 3.7. The Complainant does not consider that the Publisher’s offer to change the word “endorses” to “backs” was a sufficient remedy because the original article would already have been read by “thousands of people”.

4. Response of Publication

- 4.1. IMPRESS invited The SKWAWKBOX to provide additional information in response to the Complainant. The Publisher’s response is summarised below, a full copy of which was provided to the Committee.

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- 4.2. Regarding Clause 1.4, the Publisher raised several points in support of its position to use the term “endorses” in the headline. It says that Rabbi Padwa’s letter condemned ‘rumours’ claiming Jeremy Corbyn was anti-Semitic and that the letter made clear that neither the Rabbi nor the UOHC support the claims that Mr Corbyn is anti-Semitic. The Publisher says that the letter described the attacks as “irresponsible” and “shocking”.
- 4.3. Moreover, the Publisher says that Rabbi Padwa was one of the 34 rabbis who signed the 2018 letter that condemned the attacks on Mr Corbyn and described Mr Corbyn as “respected”. Both letters said that the attacks on Mr Corbyn were “irresponsible”. The Publisher argues that condemning attacks on a person you claim to respect, counts as “backing”.
- 4.4. Furthermore, the Publisher says that the article was not about the General Election 2019 and that the article does not mention the General Election. The Publisher, therefore, says that the meaning of “endorses” should be understood in the context of the continual attacks on Mr Corbyn concerning anti-Semitism, not in the context of the General Election 2019.
- 4.5. The Publisher says that the article was intended to be considered within a political context, where complaints have been made about the Orthodox community’s support for Mr Corbyn. The Publisher alleges that the letters issued by the Orthodox rabbis condemning attacks against him have been attacked as fake, or that the mental acuity of the signatory has been disparaged. The Publisher says that all such attempts to discredit letters and statements backing Mr Corbyn have themselves been discredited.
- 4.6. Regarding Clause 1.2., the Publisher says that an offer to change the word “endorses”, in the headline, to “backs” was made. The Publisher says that a reasonable reader would consider a condemnation of attacks on someone as ‘backing’ them. The Publisher noted that this offer was rejected by the Complainant, but the Publisher did amend the headline in the week beginning 20 January 2020. This was confirmed by IMPRESS on 24 January 2019.

5. Compliance with the IMPRESS Regulatory Scheme

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5.1. The SKWAWKBOX advised IMPRESS that it did not receive the Complainant's initial complaint which explains why no acknowledgement was sent within 7 calendar days. The SKWAWKBOX thereafter complied with the requirements of the IMPRESS Regulatory Scheme (Paragraph 3.2), by issuing a final decision letter within 21 calendar days of becoming aware of the complaint.

6. The Committee's Findings

6.1. The Committee considered that the ordinary reasonable reader would understand from the article that Rabbi Ephraim Padwa was replying to remarks made about Jeremy Corbyn and was, more generally, defending him against attacks and accusations of anti-Semitism. The Committee considered that the reader would understand the headline to mean proactive support, and in the context of the proximity of the General Election 2019, was likely to understand it to mean political endorsement. The Committee's view was that the headline was not supported by the statement released by Rabbi Ephraim Padwa. Further, it considered that defending a person against unjustified attack did not necessarily imply endorsement of that person; indeed, one can deplore unfair attacks on someone with whom one profoundly disagrees and would never endorse. For these reasons, the Committee considered that the Publisher misrepresented and/or distorted the facts and therefore breached Code Clause 1.4 (misrepresentation or distortion of the facts).

6.2. The Committee considered that as the misrepresentation occurred in the headline and went to the heart of the story, that it amounted to a significant inaccuracy that required correction in line with Clause 1.2. For reasons stated above, the Committee did not consider that the Publisher's remedy of correcting the headline to read "backs" instead of "endorses" was sufficient to convey the true meaning of the article's subject matter. Therefore, the Committee found that the Publisher had breached Clause 1.2 of the IMPRESS Standards Code.

7. Sanctions and Remedies

7.1. The Committee considered a proportionate remedy for the breach would be for The SKWAWKBOX to publish a correction alongside the full adjudication.

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7.2. The original article should include alongside its headline the correction for as long as the article continues to be published on THE SKWAWKBOX. The correction should read as follows:

Correction of article published on THE SKWAWKBOX, 9 December 2019: In an article first published on 9 December 2019 under the headline “Exclusive: Union of Orthodox Hebrew Congregations head, leader of 35,000 Jewish citizens, endorses Corbyn” the use of the word “endorses” in the headline was not justified by the text of Rabbi Ephraim Padwa’s statement which merely sought to defend Jeremy Corbyn against what the UOHC saw as an unjustified attack. [Click here to read the full adjudication by IMPRESS.](#)