



The Press Ombudsman has upheld a complaint made by Mr Ray Murray, Principal and Secretary to the Board of Management of Presentation College Carlow, that The Nationalist breached Principle 1 (Truth and Accuracy) and Principle 2 (Distinguishing Fact and Comment) of the Code of Practice of the Press Council of Ireland. A complaint that Principle 4 (Respect for Rights) was breached was not upheld.

On 24 November 2020 The Nationalist published a front-page article under the headline “Anger at ‘body shaming’ of girls in Carlow school”. This was followed by a sub-heading “Teenage girls told not to wear tight clothing as it made teachers ‘uncomfortable’”.

Mr Murray, Principal and Secretary to the Board of Management of the school, wrote to the editor of The Nationalist stating that the article was “significantly inaccurate”. In particular, Mr Murray stated that it was completely untrue that teenage girls in the school had been told “not to wear tight clothing as it made teachers ‘uncomfortable’”. Mr Murray also stated that it was untrue that female students had been told “not to wear tight leggings to school as it was ‘distracting’ for their male teachers” and “not to roll up their skirts too short or to tighten up their jumpers and sweatshirts as this was also too revealing of their body shapes”. He sought a retraction of the article.

The editor of the Nationalist responded to Mr Murray stating that the newspaper had become aware of a petition posted on Facebook in relation to how female students had been informed that they “were not allowed to wear leggings or tight bottoms for PE as they cannot show off the ‘female anatomy’ and that it was distracting to staff at the school”. The newspaper said it also became aware of comments posted on social media by parents on the issue and had interviewed the parents of some of the children who had been informed of the clothing requirement. The editor further stated that The Nationalist had tried to get a response from the school in advance of publishing the article, but that the school did not respond. The editor stood over the accuracy of what had been reported and offered the Principal a right-of-reply which would consist of an interview with a journalist from The Nationalist, or a meeting with him to discuss the contents of the correspondence.

Mr Murray made a complaint to the Office of the Press Ombudsman that the sub-heading referred to above “was completely untrue and therefore breached Principles 1, 2 and 4 of the Code of Practice. He said that Principle 2 was also breached as the article had reported comments, rumours and unconfirmed reports as facts when they were not. He said that the school had declined to comment on the claims as it did not wish to “provide fuel for the fire

of a ‘non-story frenzy’ circulating on social media”. He said the article published by The Nationalist had been based on a single posting on social media. He said Principle 4 had been breached as the character and integrity of the school and its teachers had been attacked and undermined in the article which was based on misrepresentation and unfounded accusations and that The Nationalist had not taken reasonable care in checking facts before publication.

The Nationalist made a submission to the Office of the Press Ombudsman. It claimed there had been no breach of Principles 1, 2 and 4 of the Code of Practice. It said it did not accept that the article was untrue or inaccurate. It said it had clarified the information with parents and pupils before publication. The Nationalist said that it had “multiple sources” for its story and that efforts had been made on a number of occasions to get comments from the school in advance of publication. It said it had spoken to parents and to children who had attended the assemblies and that it had no “reason to doubt the veracity of what we were being told by the parents and children”. The Nationalist also said that it was never the newspaper’s intention to cause “anyone upset or distress”. It added that had the school “responded to the numerous attempts to contact the school then this complaint may never have arisen”.

The school responded to the newspaper’s submission saying that there was no obligation on the school to respond to the newspaper’s request for a comment and the absence of a response did not confer legitimacy for The Nationalist “to run with a significantly inaccurate ... story”. The school also stated that all but one parent had been satisfied with the school’s clarification as to what had been said to the children.

As the complaint could not be resolved by conciliation it was forwarded to the Press Ombudsman for a decision.

Principle 1

The Nationalist published an account of what it was told happened in Presentation College Carlow in the implementation of school policy regarding uniforms. Some of what was published, whilst an accurate account of what appeared on social media, was subsequently found to be inaccurate. Principle 1.2 requires the press to correct promptly a “significant inaccuracy, misleading statement or distorted report”. This did not happen. Therefore, Principle 1 was breached.

Principle 2

The statements complained about in the article, including sub-heading, were unqualified and presented as fact. Principle 2.2 requires the press not to report as fact “comment, conjecture, rumour or unconfirmed reports”. This was a breach of Principle 2.

Principle 4

This Principle requires the press to take reasonable care in checking facts before publication. The Nationalist based its report on social media postings and information received from parents and students. The Nationalist also sought a response from the school authorities. For

these reasons I do not believe Principle 4 was breached. The fact that subsequent to publication inaccuracies in the social media postings were discovered cannot be taken into account in determining if Principle 4 was breached at the time of publication of the report on 24 November 2020

21 April 2021

Appeal of decision to Press Council of Ireland

The editor of The Nationalist appealed the Press Ombudsman's decision to the Press Council of Ireland on the grounds that the Press Ombudsman had erred in his application of Principle 1 (Truth and Accuracy) and Principle 2 (Distinguishing Fact and Comment) of the Code of Practice.

Decision of Press Council on appeal.

The Press Council considered the appeal at its meeting on Friday 11 June 2021 and decided to reject the appeal on the grounds that the Press Ombudsman had not erred in his application of the Code in his conclusion that there had been a breach of both Principles 1 and 2 of the Code.

The Council made its decision on the basis that the newspaper had failed to demonstrate that the article was supported by adequate and verifiable sources to confirm its accuracy and accordingly was a breach of Principle 1. It also found that the Press Ombudsman was correct in his conclusion that Principle 2 was breached for the reasons that he gave – that the newspaper failed to demonstrate in the article that it had appropriately distinguished between fact and comment, conjecture, rumour and unconfirmed reports.

11 June 2021