



JUDICIARY OF
ENGLAND AND WALES

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NEWS GROUP NEWSPAPERS LIMITED

MANCHESTER MAGISTRATES' COURT

5 APRIL 2013

SENTENCING REMARKS OF DISTRICT JUDGE JONATHAN TAAFFE

1. The defendant company has pleaded guilty to one offence under section 52B(1)(a) and (2) of the Crime and Disorder Act 1998 relating to the reporting on the 11 September 2012 of the sending of Andrew Partington for trial after a preliminary hearing at the Oldham magistrates' court.
2. The offending occurred when The Sun Newspaper published in an edition many details of the case involving Mr Partington that clearly went way beyond what was permitted. The publishing of these details led my colleague His Honour Judge Gilbert QC to comment that the "contents of the material and its tone created a substantial risk of prejudice to the administration of justice", I entirely endorse those comments. It seems the Sun agreed with this as after representations from the CPS they removed the article from its website on the afternoon of the 12 September 2012.
3. I recognise that the press provide and perform a valuable function in our society. This case was particularly unusual and the facts surrounding the explosion in Oldham and the tragic consequences of the said explosion were both newsworthy and the subject of intense public interest. It is in circumstances such as these that it is absolutely necessary for the press to behave responsibly and comply with the law. Failure to do so carries a very real risk that a defendant will be unable to obtain a fair trial and in extreme cases this will lead to guilty persons escaping justice and innocent persons having their names and reputations trashed without due process taking place.
4. This reporting at best represents shoddy journalism and at worst is an example of sensational reporting in a bid to generate short term headlines no doubt for financial gain. I accept the paper's apology and note the remedial steps taken and the paper's previous good record.
5. The offence before me is one that has limited sanctions; a maximum fine of £5000.00 can be imposed. Many will feel that this does not reflect the serious nature of the behaviour of The Sun and I have some sympathy with that view. I am also required to give full credit for the immediate guilty plea which I do in this case.
6. Taking into account the representations I have heard today I conclude the appropriate penalty in this case is a fine of £3,350.00 together with a victim surcharge of £120.00 and prosecution costs of £500.00, payment to be made in full within 7 days.