

## IPSO – Basis for Complaint

Despite a technical ‘not upheld’ judgment of the complaint against the *Daily Telegraph* article of 13<sup>th</sup> May 2022 (online) and 14<sup>th</sup> May (print), the IPSO adjudication confirms the following in relation to allegations made against Professor Percy:

### *Withdrawn or Not Disputed by the Newspaper Prior to Investigation and Adjudication:*

1. Professor Percy did not touch Ms Jeune’s hair ‘during the service’ as the *Daily Telegraph* claimed. The newspaper withdrew this allegation, when it was pointed out that the Dean had sat with his wife throughout the service at the front of the Cathedral, visible to hundreds of worshippers. The *Daily Telegraph* provided no evidence supporting the claim that the Dean ‘followed Ms Jeune’ into the sacristy after the service.
2. Prof. Percy did not authorize Ms Jeune’s visa application or any part of it (the *Daily Telegraph* also withdrew this allegation), since the application was only made by Christ Church (as a proposed employer) for a Religious Worker Visa, with that process commencing July 2020 (some months *before* the October 2020 alleged incident), and only completed sometime later in November or December 2020. Professor Percy never wrote nor was ever shown any part of this documentation and the Christ Church application. IPSO has asserted with the *Daily Telegraph* that Professor Percy signed ‘a visa sponsorship licence for the woman’s visa application’. It is categorically asserted that Professor Percy did not sign any such document. Furthermore, no evidence has been produced to support either IPSO’s assertion, or this claim made by the *Daily Telegraph*. (Yet IPSO still supported the *Daily Telegraph* here.)
3. The *Daily Telegraph* did not provide any proof that Ms Jeune only left the employment of Magdalen College after the alleged incident in early October 2020. The newspaper did not dispute that Ms Jeune’s legal testimonies in 2020 and 2021 had only listed Christ Church, Oxford as her employer and address at this time, and subsequently. The claim reported by the *Daily Telegraph* – ‘[this] was a case of a man using his power, connections and position to trample down the woman who’s telling the truth ... I’ve lost my job, my housing and my PhD over this. The whole thing was weird and creepy. He assaulted me while wearing a Thecollar in a cathedral’ – was entirely new, and without basis in any actual facts.
4. The *Daily Telegraph* did not dispute that the context of the conversation between Professor Percy and Ms Jeune related to her growing her hair long in order to donate it to a children’s cancer charity, and that she had done this previously. The newspaper did not dispute that Professor Percy’s self-deprecating reference to his age and short grey hair formed the context for this conversation, and that Ms Jeune’s earlier legal testimony corroborated this.

5. The *Daily Telegraph* amended the online article version of the article to include this further information on 4<sup>th</sup> August, adding: ‘**After interviewing [the complainant] the police decided ‘no further action’ would be taken**’. The newspaper did not dispute that Thames Valley Police, following a thorough investigation, did not caution, arrest or warn Professor Percy, and nor did it refer the case to the CPS.
6. The *Daily Telegraph* offered no evidence that Professor Percy had shown any particular or personal interest in Ms Jeune at any point before the alleged incident, nor ever made a comment to her that could be conceivably construed as inappropriately familiar. IPSO and the *Daily Telegraph* did not dispute Dame Sarah Asplin’s legal determination: **that there was no sexual aspect to the conversation between Professor Percy and Ms Jeune.**

‘The Newspaper Headline: *This has had a massive impact on my life ... I've lost my job, housing and my PhD over this*’:

7. According to the *Daily Telegraph* (via their legal compliance officer, Andy King in an email on 19<sup>th</sup> July 2022), “Ms Jeune withdrew from her employment as a sub dean [at Magdalen College] ... Ms Jeune’s job at Magdalen included housing therefore when she withdrew from her position she lost her free accommodation and at considerable cost to her had to rent accommodation. Given the above **facts** and the manner of the reporting it is clear that not only are these claims by Ms Jeune **true**, but her direct experience is that losing her job, housing and PhD were as a **direct result** of the stress of the situation in Oxford. We consider that care was taken in respect of this aspect of the article”. [bold emphasis added]
8. Ms. Jeune made a harassment complaint on 4<sup>th</sup> October 2020. At that time she had no right to work in the UK. One testimony drawn from several of her similar claims, stated on 5<sup>th</sup> November 2020 in a Clergy Discipline proceeding against Martyn Percy (**bold emphasis and underlining added**):

In 2018/19 Ms Jeune was an Associate Member of the Common Room [at Christ Church] and a member of the chapel community. She applied for the role of warden and the Dean was a referee. **She did not get [that] job as the criteria changed which made her ineligible. In July 2019 she was [appointed as] a casual verger at the Cathedral. In September 2019 Ms Jeune was employed as a Sub-Dean at Magdalen College with responsibility for pastoral support.**

**On 1<sup>st</sup> October 2020 Ms Jeune was given a new position of Chapel Assistant and Relief Verger at the Cathedral.** Ms Jeune’s application for a visa to stay in the UK [was] still being processed, having been delayed by Covid-19. She [was] very anxious about the process and conscious that without the College and Cathedral providing her sponsorship for the application, it [would] be refused, and she would have to leave the UK.

9. Ms. Jeune made similar statements to Thames Valley Police (e.g., 20<sup>th</sup> October 2020) and in Employment Tribunal claims during 2020 and 2021. This evidence, which was all provided to IPSO, contains the details of Ms Jeune’s claims. Those claims are consistent with the facts:
  - a. Ms Jeune began working for Christ Church on 1<sup>st</sup> October 2020.
  - b. She makes no mention of employment or housing at Magdalen College, nor any reference to ‘losing house, employment and PhD’ (anywhere in Oxford) in any legal deposition to the Police, CDM or Employment Tribunal.
  - c. Given the serious detriment alleged (“I’ve lost my job, my housing and my PhD over this”), neither the *Daily Telegraph* nor IPSO paid any attention to the legal and sworn statements of truth/fact made by Ms Jeune during 2020 and 2021. They failed to check Ms Jeune’s ‘statements of truth’ – unless of course she lied to the Police, CDM and ET Court in her submissions – where she *only* claims to be an employee of Christ Church, and plainly did not lose her job or housing.
10. The *Daily Telegraph* provided no evidence for their main headline contention that Ms Jeune ‘**lost [her] job, housing and [her] PhD over this alleged incident**’. She further claimed she had been ‘assaulted’ and/or ‘sexually harassed’. Given several months to produce corroboration or verification for these assertions, the *Daily Telegraph* failed to provide any evidence for the claims. The *Daily Telegraph* could not explain why the term sexual ‘assault’ was used in their article, when Ms Jeune had not used the term in any previous depositions dating from 2020 to 2021. The newspaper, by placing Ms Jeune’s testimony in quotation marks, stated that this indicates a report of an ‘opinion, not facts’.
11. IPSO in its adjudication states that: ‘the article also went on to detail the circumstances which led to her feeling she could no longer pursue her thesis. While the Committee noted that the complainant (i.e., Professor Percy) had provided extensive material to support his position, the woman was entitled to attribute the loss of her “job”, “housing” and “PhD” to the incident’.

**But there was plainly no loss of job, housing or PhD following the alleged incident.**

Ms Jeune was self-evidently, by her own admission, employed at Christ Church, Oxford from 1<sup>st</sup> October 2020. The alleged ‘incident’ cannot possibly have any bearing on her previous employment and position at Magdalen College, which by Ms Jeune’s own admission, she did not have in October 2020. Nobody can be ‘entitled to attribute’ non-existent material losses, let alone retrospectively.

*Uncorroborated Claims and Assertions in the Reporting:*

12. The *Daily Telegraph* did not dispute that the design and layout of Christ Church Cathedral made it impossible for particular claims made about the event described, as they were not within the Cathedral's physical layout and sight-lines. The *Daily Telegraph* did not dispute that Thames Valley Police and various other investigatory bodies had already concluded that several of the assertions made were incompatible with the geography of the building.
13. The *Daily Telegraph* did not dispute the fact that Professor Percy sat with his wife throughout the service at the front of the Cathedral, and would have been unable physically to watch or even see Ms Jeune, as had been claimed. Nor did it dispute that Ms Jeune would have been stationed behind the Dean's stall, with a medieval wall, wooden screen and iron railings which would have screened any verger from view. Police and CDM investigations (with site visits) had confirmed these facts. The newspaper did not dispute that Professor Percy's eye-condition made it impossible for him to see any person at such a distance (let alone someone behind him).
14. Over the course of the IPSO investigation, the *Daily Telegraph* did not provide any evidence to contradict the findings of Thames Valley Police, the Clergy Discipline Measure and other investigatory processes, that there was nothing serious in the allegation as presented, or that merited any further pursuit. The matter was quickly dismissed by the Police.
15. The *Daily Telegraph* provided no evidence that the allegation had ever constituted a 'safeguarding incident'. Ms Jeune has, in any case, always denied being a 'vulnerable adult' (i.e., this was not a safeguarding incident). None of the bodies invited to pursue the allegation as a safeguarding matter had found it to be one. The *Daily Telegraph* did not dispute the fact that Professor Percy had been subjected to a sustained campaign involving the 'weaponization of safeguarding' which was designed to cause him personal, reputational and financial harm. The newspaper did not dispute the fact that several of those involved in promoting Ms Jeune's allegation had been directly involved in previous claims.
16. The *Daily Telegraph* provided no evidence for claiming that Professor Percy used his 'power, connections and position to trample down a woman who's telling the truth'. Despite a claim of 'sexual harassment', the *Daily Telegraph* did not explain why none of the HR and harassment procedures (easily accessible) had been used by Ms Jeune.
17. The *Daily Telegraph* did not dispute that a senior High Court Judge, in the process of the Church of England's Clergy Discipline Measure [2003] (a statutory legal process), had stated that even if the allegation were taken as read, there was 'no overt sexual element in any behaviour towards Ms Jeune'.

18. There was no history of such conduct on Professor Percy's part in relation to Ms Jeune or towards any other woman (despite exhaustive attempts by Christ Church to establish otherwise). Judge Dame Sarah Asplin found that Ms Jeune 'accept[ed] [at the time] that she was not upset in any way [and] stated originally that she was not perturbed'. There were no emails, text-messages or any other kind of untoward communications from Professor Percy to Ms Jeune. The *Daily Telegraph* produced no evidence of any sexually suggestive conversation. The newspaper did not dispute that Thames Valley Police found no corroboration of evidence in DNA samples that had been voluntarily submitted by Professor Percy at Ms Jeune's request (in order to support her assertion of hair-stroking). Police DNA tests did not corroborate her claim.
19. The *Daily Telegraph* did not dispute that there was no evidence that Professor Percy had followed Ms Jeune, as alleged. The *Daily Telegraph* did not dispute that the one potential eye-witness to the incident did not corroborate Ms Jeune's account, yet this evidence had been deliberately redacted by persons already engaged in litigation against the Dean.
20. The *Daily Telegraph* provided no evidence for the claim that Professor Percy had 'groomed' Ms Jeune, as they had once met for coffee (something that is perfectly normal hospitality to be extended by the head of any Oxford college), and that during their conversation, the discussion had caused Professor Percy to mention his adoption, which they interpreted as amounting to taking her into his confidence. Professor Percy's publications, lecturing and other work on adoption are extensive and widely known. No personal disclosure was ever made by Professor Percy to Ms Jeune.
21. The *Daily Telegraph* provided no evidence that Ms Jeune was, at any stage, formally a member of the University of Oxford during her time in Oxford. She had been studying for a PhD at the University of Canterbury Christchurch, in New Zealand. Ms Jeune's PhD had been due for submission in March 2020. The *Daily Telegraph* provided no evidence to support their headline that Ms Jeune 'lost her PhD' over the alleged incident in October 2020, and stated that this was Ms Jeune's opinion. The PhD was due for submission much earlier in that year. Ms Jeune could not have held paid posts at Christ Church and Magdalen both at the same time, as that would have breached the terms and conditions of the Magdalen College role. Furthermore, UK government visa restrictions (even though Ms Jeune admits to not having a visa in October 2020) would prevent her from carrying out paid work in the UK.

*Additional Inconsistencies Noted During Investigation:*

22. The *Daily Telegraph* provided no evidence contradicting the claims made by Ms Jeune, that from October 2020 to early 2022, she was employed and housed at Christ Church as 'a student, Chapel Assistant and Cathedral Verger', as she had claimed in all of her original legal depositions from 2020–21, and in other official legal processes and statements initiated by her.

23. Likewise, the *Daily Telegraph* provided no evidence to support the subsequent legal claims Ms Jeune made (and only made by her from 2022 onwards), that she had been employed and housed at a different Oxford College (Magdalen) at the time of making her allegation, but had reluctantly terminated the role at Magdalen in December 2022, and only due to this alleged incident. The *Daily Telegraph* did not dispute that the legal depositions and evidence provided by Ms Jeune from 2020–21, and then separately from 2022, appeared contradictory on points relating to housing, studying, employment, visa applications and other matters.
24. The *Daily Telegraph* could not offer any explanation of how Ms Jeune could credibly claim in several of her original legal depositions to be housed and employed at Christ Church from 1<sup>st</sup> October 2020, and that she pursued those claims through her employer (Christ Church). Yet later, and only from 2022, Ms Jeune claimed to be employed at a different Oxford college (Magdalen) until December 2020, yet somehow still pursued her claim through Christ Church. Neither IPSO nor the newspaper engaged with these clearly conflicting statements.
25. This discredits suggestions that Ms Jeune lost her doctoral study, job and housing at Magdalen College as a result of her claim. Nor did she lose her job and housing at Christ Church for the same reason, since Ms Jeune was clearly employed there from 2020 until 2022.
26. The *Daily Telegraph* could not explain how Ms Jeune’s substantial claim for compensation to the Court (based on her potential for being employed as an academic and housed in the future at some other – unspecified – Oxford college as a Junior Research Fellow for a period of five years) could be squared with her actual employment at Christ Church from 1<sup>st</sup> October 2020 to the summer of 2022. The *Daily Telegraph* was unable to reconcile these substantially differing accounts relating to her graduate studies, visa status, employment, housing and other dates.
27. The *Daily Telegraph* article claimed Ms Jeune participated in several days of mediation with Professor Percy in February 2022 in order to achieve her settlement. The newspaper, despite repeated requests, was unable to produce any evidence in support of their assertion. Ms Jeune’s claim that the settlement between her and Christ Church was tripartite, implying that Professor Percy paid her compensation, belies the truth of the final settlement Professor Percy reached with Christ Church.
28. The College paid substantial compensation to Professor Percy, equivalent to ten years’ worth of salary. Ms Jeune’s settlement with Christ Church was separate. There was no conversation or mediation between Ms Jeune and Professor Percy, and no payment, acknowledgement or apology has ever been made by Professor Percy, who has consistently and robustly denied the various claims Ms Jeune has made.

29. The IPSO adjudication did not engage with the evidence it was sent; that evidence showed that several of the claims made in the *Daily Telegraph* could not possibly be true. Despite some of these claims being entirely new, and contradicting previous claims, IPSO's adjudication did not engage with the facts presented to them. IPSO regards the claims made in the *Daily Telegraph* as one person's personal opinion and, despite the inherent contradictions in the testimony, the regulator does not believe this breached their code.
30. IPSO has found that the *Daily Telegraph* accurately recorded Ms Jeune's claims. It made no finding on those claims as being truthful, factual or verifiable. Both IPSO and the *Daily Telegraph* maintain that verifying such published allegations is not a requirement for any newspaper, nor does it breach their codes. The IPSO adjudication is therefore attached. We believe it is profoundly flawed.

## Summary

Neither IPSO nor the *Daily Telegraph* defended the claims as being matters of fact, or to be supported by any corroborating evidence. In particular, the claim to have 'lost her house and job, etc.' over the alleged incident lacked any factual basis. That claim does not apply to the role at Magdalen College or Christ Church. Nor can it be applied to some hypothetical future role either, as Ms Jeune seemed to claim. Besides, the *Daily Telegraph* in their defence stated that it was the Magdalen job that was lost. That cannot be a *subjective* attribution; it must either be an objective fact (so true) – or a false claim. Yet this claim formed no part of Ms Jeune's sworn statements of truth to the Police and other legal entities from 2020– 21.

Section 1 of the *Editors' Code of Practice* (January 2021 edition), states (inter alia) that:

- ii) A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and – where appropriate – an apology published. In cases involving IPSO, due prominence should be as required by the regulator.
- iii) A fair opportunity to reply to significant inaccuracies should be given, when reasonably called for.
- iv) The press, while free to editorialise and campaign, must distinguish clearly between comment, conjecture and fact.

This statement has demonstrated that clearly significant inaccuracies and misleading statements were published. The Code provides no exemption to the obligations laid on Editors via a claim that inaccuracies are being presented as another person's opinion where no reasonable attempt has been made to address significant and easily verifiable inaccuracies.

Similarly, despite Professor Percy having made repeated reasonable calls for an opportunity to reply to these significant inaccuracies evidenced above, no such opportunity has been given. The article makes no attempt clearly to distinguish between fact and what is now asserted to be comment or opinion. No 'public interest' justification exists in the Code in relation to

matters of accuracy in reporting, and it is therefore maintained that this *Daily Telegraph* article contains multiple breaches of the Code.

## **Background Notes on IPSO Investigation**

Martyn Percy was appointed Dean of Christ Church, Oxford in 2014. During 2017, he became the target of attacks led by around a dozen College dons, including Canon Sarah Foot and Canon Graham Ward, culminating in the Smith Tribunal of 2018–19, seeking his removal as Dean under Christ Church’s Statutes, on grounds of ‘immoral, scandalous or disgraceful conduct’ and ‘the wilful and persistent neglect of duties’. The Dean was faced with 27 charges, and made to fund his own legal costs, amounting to hundreds of thousands of pounds.

All allegations were dismissed by a former High Court Judge, Sir Andrew Smith, and the Dean exonerated of all 27 charges. However, the group continued with their attacks, and further, fresh attempts were made to remove the Dean. He was accused of having ‘no moral compass’. These even included concerted attempts by a small group of dons to remove Professor Percy from office on the entirely baseless grounds of his alleged ‘mental incapacity’.

More publicly, and from February to September 2020, six allegations of ‘safeguarding concerns’ were also brought by this group, led by Professors Ian Watson, Geraldine Johnson and others. These dons worked closely with Winckworth Sherwood and Luther Pendragon to contrive a media narrative that stated the Dean represented a significant ‘safeguarding risk’. Winckworth Sherwood represent the Diocese of Oxford, seven other CofE Dioceses, and Lambeth Palace.

Working with these dons, Winckworth Sherwood and Luther Pendragon proactively contacted the Police, media and other agencies to encourage media stories. They also tried to infiltrate and manipulate an NST Core Group, engineer CDM proceedings, and otherwise set about the deliberate ‘weaponization of safeguarding’. Again, all allegations were dismissed and found to be baseless, with the Dean found to have acted with complete professionalism and propriety.

From 2018–22, the Dean had been forced to face over forty trumped-up charges or allegations brought by the dons. All were dismissed, with the Dean entirely exonerated. The dons had hoped to ‘bleed the Dean dry’, cause him to leave due to ill health, and/or destroy his reputation.

### *The Seventh Allegation of October 2020:*

Less than four weeks after the six previous safeguarding allegations had been dismissed (8<sup>th</sup> September 2020), a seventh allegation was levelled against the Dean on 4<sup>th</sup> October 2020. This new claim alleged that he had touched the hair of a member of staff working at the Cathedral. The Dean has always denied this. Thames Valley Police, Local Authority Designated Officer (LADO), the Charity Commission and the Church of England’s National Safeguarding Team

(NST), and a Clergy Discipline Measure process, after inquiring into an alleged incident of sexual harassment, all independently decided to take no further action.

No charges were brought and no cautions issued. No rebukes, warnings or admonitions of any kind were ever suggested or imposed by any of the investigating authorities. These dismissals of the allegation speak for themselves. Despite this, Christ Church subjected Professor Percy to virtual house arrest, isolated him, and sought to justify this publicly in their ongoing media statements and other briefings. Canon Richard Peers, together with other senior clergy and Diocesan officers, and senior dons at Christ Church, were party to organising this. Canon Peers constantly briefed concerned colleagues and the Cathedral congregation that he was in ‘regular touch with the Dean and the Dean’s designated supporter’. This was untrue, and Canon Peers made extensive efforts to isolate, demonise and destroy the Dean.

The ‘independent investigator’ hired by Christ Church to look into the allegation was Kate Wood. She is an unlicensed and unregulated ‘safeguarding consultant’, and there are no known codes of conduct or professional standards that hold her to account for her work. Kate Wood’s ‘Independent Report’ into the seventh allegation was contrived as ‘safeguarding’ and overseen by Canon Richard Peers, with terms of reference written by Winckworth Sherwood, who had already been litigating against the Dean for over two years. Kate Wood declined to interview witnesses for the Dean, and also unfairly redacted the Dean’s evidence.

One potential witness categorically stated that they had not noted anything untoward. That testimony was also redacted from Wood’s ‘independent report’. Wood, Peers and others also exchanged emails with prosecution witnesses after the ‘independent investigation’ had concluded, in order to secure greater corroboration between their statements. Wood and Peers concealed the involvement of Winckworth Sherwood, and all were party to bogus ‘Risk Assessments’, claiming the provenance of the Church of England (falsely) as authorised by Kate Wood (which she then publicly repudiated).

Ms Jeune claimed to be studying history at Christ Church, a ‘member’ of the College, often wearing a graduate gown at College or University functions. Ms Jeune appears to have held simultaneous student welfare roles at Magdalen College and Christ Church, yet was not a member of the University of Oxford, nor a DPhil, student in the Faculty of History. She had been studying for a PhD at Christchurch (New Zealand).

Professor Percy has faced a malevolent, sustained and organised campaign waged against him – and also his family – for over four years, which has included the deliberate ‘weaponization of safeguarding’ against him, perpetrated by College and Diocesan lawyers (Winckworth Sherwood) and their PR agents (Luther Pendragon) – and instructed by dons and clergy to ‘act against the Dean’. This extended to the production of counterfeit Risk Assessments by Canon Peers and Canon Ward, unjust redactions of Professor Percy’s own evidence, tampering with and attempting to influence investigations, and proactive smearing tactics in the media. Current

regulatory investigations into Christ Church and their lawyers include those by the Charity Commission and the Solicitors Regulation Authority.