



# MEDIA REFORM COALITION

## Consultation response on the IPSO Editors' Code

The Media Reform Coalition was founded in September 2011 to bring together civil society groups, academics and media campaigners to develop policies and to campaign for media reform aimed at creating a media system that operates in the public interest.

The Media Reform Coalition is committed to:

- Supporting media pluralism
- Defending ethical journalism
- Protecting investigative and local journalism.

The current Chair is Professor Natalie Fenton, Goldsmiths, University of London and the current Vice-Chair is Dr Tom Mills, Aston University.

**The MRC welcome the opportunity to respond to IPSO's consultation on the Editor's Code. We believe the following factors require urgent revision to help rebuild trust in journalism that is at an all time low:**

**Preamble to the Code – insert a requirement for 'equivalent prominence' into paragraph 3 of the preamble.** Currently publishers can bury corrections and adjudications in parts of the publication that will never be seen. This often entirely negates the correction and defeats the object of any successful complaint to hold the publishers to account.

### Clause 1: Accuracy

**In Clause 1.ii specify equivalent prominence to the original breach is necessary when publishers self-correct significant inaccuracies promptly.** Related to the above - under Clause 1 of the Code, newspapers are able to avoid facing a breach after being found guilty of an inaccuracy if they can show that they acted swiftly to remedy the breach appropriately ("*A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence...*"). However, once again, the use of the term "due prominence" affords IPSO too much discretion over how prominent that correction can be. In certain cases, a very small correction has been considered sufficient remedy by IPSO for a very significant breach and consequently the newspaper is redeemed but the complaint goes unremedied. Instead, the code should specify that a newspaper's immediate mitigating corrections should have equivalent prominence.

**Tighten the Accuracy clause around quotations.** The general public have largely been educated to believe that comments within quotation marks are wholly accurate reporting of what has been said and not a summary or subjective interpretation. The Accuracy Clause in the Code on quotations has not been applied in this manner allowing misquoting to take place. This is grossly misleading for the general public and distressing for the person or organisation that is misrepresented. The same care that is used to ensure that quotes are accurate should also be used to ensure that quotes are not taken out of context. The Associated Press 'News Values and Principles' states that "we do not alter quotations, even to correct grammatical errors or word usage. If a quotation is flawed because of grammar or lack of clarity, the writer must be able to paraphrase in a way that is completely true to the original quote. If a quote's

meaning is too murky to be paraphrased accurately, it should not be used.” This is a basic tenet of good journalism and the Code should be revised accordingly.

## Clause 2: Privacy

**Amend the Code to prevent the practice of trawling social media for photos and using them without permission and without offering to buy the copyright.** When an individual is the subject of a story, newspapers often trawl the person’s social media pages for images to publish. These are often personal and intimate pictures. Frequently these are then published without permission, infringing copyright and data protection law but in the full knowledge that potential claimants are unlikely to bring a legal case that will be longwinded and expensive. A code amendment could stop this practice.

## Clause 5: Reporting suicide

**Amend Clause 5 to require newspapers to avoid speculating over the motives of suicides except where it is clearly in the public interest.** Rationalising suicide for the sake of salacious detail can heighten the risk of suicide by others and is offensive and distressing to loved ones left behind. Mental health charities and campaigners have consistently called for the media to avoid doing this.

## Clause 12: Discrimination

**Clause 12 should be amended to provide protection for groups that are subject to discrimination as well as individuals.** There is a serious problem with the discrimination clause in that it only allows complaints around discriminatory coverage relating to named individuals and not coverage targeting groups of people. So discriminatory coverage about Muslims, transgender people, women etc. is beyond the mechanisms of complaint and is effectively legitimised. The recent guidelines for reporting on Muslims are welcome but these are unenforceable and largely impotent. We note that in 2017 more than 8,000 complaints were made to IPSO relating to discriminatory coverage, only one of which was upheld. This is a clear indication that this clause is not fit for purpose. In practice, instead of guarding against discrimination it legitimises discrimination.

**Relating to the above, new Clause 12.iii should be added that explicitly references the need to avoid the sexualisation of women.** There is a longstanding and widely recognised problem with the portrayal of women in the press that potentially leads to cultural understanding of the sexual availability of women in society. Despite progress in the law on the practice of “upskirting”, some newspapers continue to publish images exposing underwear or similar. In the age of #MeToo, IPSO needs to recognise that ethical and responsible journalism should not be able to sexualise women for clickbait.

## New Clauses:

1. A new clause should be added to encourage **maximum transparency of branded, sponsored or ‘advertorial’** content in newspapers.
2. A new clause should be added that requires **clear attribution and discourages plagiarism.** The boundaries between aggregation and plagiarism can be difficult to determine but few things harm journalism more than inadequate attribution. In a digital age the perils of cut and paste journalism require particular vigilance and care. The Code could benefit journalism and news plurality by requiring newspapers to clearly state where the original source of the material came from. Failure to do this should require a prompt apology with equal prominence.
3. The Code should be amended so that **the public interest guidance**, like the courts, gives the same weight to the right to privacy as it gives to freedom of expression with a balance and proportionality test applied.
4. We support the campaign run by Level UP, a feminist advocacy organisation for a change to the code to **protect the dignity of the victims of domestic violence**, and

to protect family members from further distress by challenging damaging narratives about the role of victims in their deaths. The code should be amended to add a new clause, which should state the following:

- i. In cases where a woman has been killed by a partner, former partner or other family member, language which appears to justify the murder or otherwise blame the victim for her death, should be avoided.
- ii. Speculative references to factors which may have motivated the killing should be avoided, for example “reasons” or “triggers” or describing the crime as an uncharacteristic or random event.
- iii. Crimes involving death or injury perpetrated by a partner, former partner or family member should be referred to as domestic violence.
- iv. Avoid trivialising language, and invasive or graphic details that compromise the dignity of the deceased woman or her surviving family members.
- v. Avoid speculation about the sexual histories of the victims of domestic violence.