

Joint Submission to Editors' Code of Practice Public Consultation

Travellers' Times
Leeds Gypsy and Traveller Exchange
London Gypsies and Travellers

March 2023

1) Introduction

This is a combined submission from the charities [Leeds Gypsy And Traveller Exchange](#) (Leeds GATE), [London Gypsies and Travellers](#) (LGT) and from the news and information website and magazine (and IPSO member) the [Travellers' Times](#) (TT). When co-producing this submission, all three organisations drew on their respective strengths, which were Leeds GATE's and LGT's direct engagement with their Traveller communities and the TT's knowledge of media law and regulations in the UK and abroad. The 2022 research report [Media that Moves](#), commissioned by Leeds GATE and LGT, was also heavily drawn upon for this submission.

We have also included testimonies and input throughout from members of the Media Network Group. Set up as part of the Media That Moves project it is made up of Gypsy and Traveller activists, campaigners and advocates who have worked with, and for, their communities for many decades. This group offers a platform for people to meet regularly on these issues, understand the driving forces behind them and decide on courses of action to make change to media systems and narratives.

As a collective, the Media Network group is open to engaging with IPSO further on well-informed guidelines and build relationships with the regulator, to work together to protect Gypsy and Traveller people in the press.

This submission focusses on the current lack of effectiveness of the Editors Code of Practice clause 12 on Discrimination, the impact this has on the current press publishing of Gypsy and Traveller-related articles and the effect this has on Gypsy and Traveller people. We also believe that the current ineffectiveness of clause 12 also has negative impact on the public perception of IPSO itself.

We call on the Code Committee to address the current lack of effectiveness of clause 12 and to consider our suggested amendments that would help protect the UK's Gypsy and Traveller people from abusive reporting, as well as all other racialised people and other groups. It would also improve the reporting of Gypsy and Traveller issues by other IPSO members, whilst still protecting freedom of expression, and improve the public perception of IPSO related to its handling of clause 12 discrimination complaints.

'As an Irish Traveller man who has been reporting articles to IPSO for three years, I have noticed that when the press reports a story concerning a Traveller or Gypsy person, the fact the issue is concerning an individual is ignored and an entire community is mentioned. This isn't fair. Despite reporting the article for discrimination, the offending news outlet gets away with whatever they want to say due to the current Code. There needs to be a wider scope so that these offensive and discriminatory articles can be reviewed and properly dealt with, and not allowed to get away with blatant anti Traveller and Romany discrimination which they are currently allowed to print.' - Chris McDonagh, Travellers Against Racism and Campaigns Officer

2) How the press reports on Gypsies and Travellers

The current UK media environment reporting on Gypsy and Traveller lives is one in which racism and discrimination have been consistently accepted and normalised.

As the 2012 Leveson Inquiry report stated, “Both freedom of speech and freedom of the press permit wide latitude to editors and journalists to publish the stories they consider appropriate in the way that they wish. The Editors’ Code of Practice, however, requires care to be taken not to publish inaccurate, misleading or distorted information (Clause 1(i)) and also requires the press to avoid prejudicial or pejorative reference to an individual’s race, colour, religion, gender, sexual orientation or to any physical or mental illness or disability (Clause 17(i)). That is the standard that the press has set for itself. What is clear is that a critical mass of articles which breach the standard can have seriously deleterious effects on public discourse and community relations.”¹

We strongly believe that this aforementioned ‘critical mass’ has been reached many years ago in regards to reporting about Gypsies and Travellers and has only become ever more strained and critical as the years go on.

Many members of the press have therefore been enabled and allowed to write pieces naming “Gypsies” or “Travellers” in the headline, stating or insinuating that all Gypsy and Traveller people are a problem and that stopping on land was “illegal”. They are also using terms to describe a whole group of people, for the actions of one or a few, insinuating that all people involved in incidents reported on were definitely from these ethnic groups, when journalists rarely, if ever, speak directly to the people themselves.

Replace these words with any other ethnic group, and reporting on these issues in this way would not be condoned. Using terms describing a whole group cements their association with criminality, rubbish and camps, due to the general lack of representation of Gypsy and Traveller people in other press stories. Gypsy and Traveller people themselves are seen as making problematic “lifestyle choices”, equating them with stereotypes of crime and antisocial behaviour, rather than ethnic groups protected under Equality Act legislation with hundreds of years of contributing to the UK’s cultural history.

1) Research into media representations of Gypsies and Travellers

Leeds GATE and London Gypsies and Travellers commissioned Public Interest Research Centre to carry out a piece of research into the systems that perpetuate negative stereotyping of Gypsies and Travellers, focusing on the role of the media. The research aimed to find out about the key influences on the media and the stories they produce, and how they arise. It also aimed to identify different framing of Gypsies and Travellers used by the media. The ‘Media that Moves’ research report was published in January 2022².

Some of the key findings are:

- There is a problem with overrepresentation

One of the most striking things is the sheer number of articles about Gypsies and Travellers. When a researcher reviewed³ three years of coverage in 12 of the biggest online newspapers in 2019, he found a total of 365 news stories, features and opinion pieces.

¹pg. 490, Lord Justice Leveson, The Leveson Inquiry: an inquiry into the culture, practice and ethics of the press, 2012

² <https://publicinterest.org.uk/MediaThatMoves-FullReport.pdf>

³ Ref: Mark Baillie (2019) Skewed News: A Macro-Analysis of Gypsy, Roma and Traveller Coverage in the UK Press, Journal of Media Ethics, 34:4, 228-237

That's a story in a big national newspaper every 3 days, not to mention the stories in other nationals, or the many, many local media organisations.

- The focus is predominantly on roadside camps and crime

Most news stories are about 'unauthorised' campsites and crime. Across all newspapers, opinion pieces written by Gypsies and Travellers are rare. There are more diverse articles in outlets like the Guardian and the Independent, where topics of racism and poverty are more likely to be covered, but this is far outweighed by tabloid stories of camps and crime. And, across all types of stories, what's often missing are structural issues about access to land and services, and we rarely see articles celebrating pride in family, community and culture.

- Much reporting is distorted and exaggerated

There may be some factual basis behind a story, but there will often be inaccuracies. Here are some of the common ways that media undermines Gypsies and Travellers, whether intentional or not:

- Misspelling Gypsy and Traveller, and not using capital letters
- Failing to engage with anyone from the communities when researching the story
- Misrepresenting, e.g. taking comments out of context, using stock images of rubbish
- Over-representing on crime stories
- Biased image selection, e.g. ignoring people, capturing shelters and waste, showing children alone, and pixelating faces (particularly of men) like photos of criminals

The association of Gypsies and Travellers with rubbish follows a broader tendency for the media to link marginalised, racialised groups with waste products. This is not to say that Gypsy and Traveller people do not commit crimes, or do not have untidy homes. However, generalisations that are made, in the absence of statistics and facts and other human stories create a vacuum into which harmful tropes and discriminatory stereotypes stand alone, held up as fact. Inflammatory language that links Gypsy and Traveller people with 'invasion' or 'plague' is deeply dehumanising and should not have a place in our society.

- Media feed off each other

There is a "toxic interplay" between broadcast and print media and what appears to be a practice amongst many media outlets of recycling stereotypical (typically negative) tropes to boost engagement in the wake of political discourse or negative publicity pertaining to Gypsy and Traveller communities. This 'churnalism' practice generates high volumes of press coverage which contributes to the 'critical mass' above mentioned.

II) Examples from day-to-day reporting

To illustrate how these findings are reflected in day-to-day reporting, in this section we include some case studies from recent press coverage targeting Gypsy and Traveller people which perpetuates damaging stereotypes.

During the start of the **Coronavirus pandemic** in 2020, we witnessed headlines that linked Gypsy or Travellers as whole groups, to disease and criminality. A few examples include:

The Sun, July 2020 - *BUG ALERT Coronavirus: Craven Arms travellers say they've been 'treated like animals' but locals claim they are not isolating*⁴.

⁴ <https://www.thesun.co.uk/news/12240803/coronavirus-craven-arms-travellers-treated-animals-locals-isolating/>

Mail Online, 2020 - *Travellers flout social distancing rules as crowds flock to gypsy [sic] funeral where they spent four hours with the coffin despite warning that only 15 mourners could attend ceremony.*⁵Daily Mail, 2020 - *Gypsies break into London nature reserve and park eight caravans to shatter tranquillity of well to do residents who say the council WON'T move them on during coronavirus lockdown*⁶

Daily Mail, 2020 - *Organisers of gypsy funeral are hit with £10,000 fine for breaching Covid lockdown rules for procession of 150 travellers who marched through streets before police deployed officers in riot gear to stop them*⁷

By contrast, articles about how Gypsy and Traveller people have been disproportionately affected by the pandemic, linked to poor quality, unsafe and insecure accommodation, and how this has exacerbated the already huge health inequalities facing communities were few and far between.

Reporting on **policing** related to Gypsy and Traveller people is also largely focused on Gypsies and Travellers as alleged perpetrators of crime, tarring whole communities with the same brush.

Headlines such as *Police raid Moses Gate Gypsy and traveller site*⁸ imply that all residents were potentially investigated for criminal activity. While headlines such as *COPS 'TOO PC' Police in crime hotspot blasted for flying Gypsy Roma flag from their HQ*⁹ insinuate that Romany Gypsies are not worthy of being recognised and celebrated by public institutions.

Reporting on **nomadism and roadside stopping** is one of the areas where the negative feedback loop between media representations and damaging political discourse is most apparent and entrenched. Following the Police, Crime, Sentencing and Courts Act coming into force in June 2022, making it a criminal offence to stop on land without consent, we carried out an exercise to collate news articles across different outlets related to roadside stopping. We did this through setting a Google alert search limited geographically to the UK, using the terms: 'unauthorised encampment', 'illegal encampment', 'Traveller encampment', 'Traveller camp', 'Traveller caravans', and collating results.

A quick analysis of this data found that 205 articles were published between 21 July 2022 and 11 March 2023 (a period of 232 days) in a range of local, regional and national news outlets. In total there were 94 different news outlets represented, out of which two thirds are regulated by IPSO.

There were big differences in terms of the numbers of articles covering the different UK regions. The English regions with most search results were West Midlands with 59 articles (29%), South East England – 36 articles (18%), North West England –26 articles (13%) and South West England –24 articles (12%).

Few of the articles presented the issues in a neutral way, setting out facts and giving details about councils looking to make provision for sites and stopping places. The majority of articles presented Gypsies and Travellers stopping roadside in a negative light, as a threat to

⁵ <https://www.dailymail.co.uk/news/article-8297535/Travellers-flout-social-distancing-rules-crowds-flock-gypsy-funeral-despite-warnings.html>

⁶ <https://www.dailymail.co.uk/news/article-8336739/Travellers-pitch-west-London-moved-Covid-19-pandemic.html>

⁷ <https://www.dailymail.co.uk/news/article-8937727/Organisers-gypsy-funeral-hit-10-000-fine-breaching-Covid-lockdown-rules.html>

⁸ Bolton News, Chaudhari, 2020

⁹ The Sun, Sullivan, 2020

local communities, causing damage to facilities and wasting taxpayers' money. They did not provide balance to this perspective, such as mentioning that there is no provision for nomadic people to stop safely with access to basic facilities in the area.

Furthermore, the vast majority of articles (155 out of 205) included the word 'Traveller' in the headline, often coupled with a photograph of caravans on land, and inflammatory words such as 'invasion', 'plague', reinforcing the negative associations and making sweeping generalisations. The use of capital letters to acknowledge the ethnicity and protected characteristics of Gypsy and Traveller people was very inconsistent and missing from a large proportion of the articles. All of this contributes to sensationalism and dehumanising people who are often in a vulnerable position, due to the lack of authorised and safe stopping places.

- Echo News, 2022 - *Travellers booted off Wickford site following legal battle*¹⁰

The result has been hailed as a long-fought for justice by ward councillor George Jeffrey. "That area was absolutely pummelled by illegal encampments over years of inaction but now the Conservatives are restoring the area for residents and fighting back for justice against illegal encampments."

- Daily Mail, 2022 - *Fury as council spends almost half a MILLION pounds on a £100-a-week traveller site which has NEVER been used - as residents blast two acre ex-landfill plot with CCTV, laundry and washing facilities an 'absolute joke'*¹¹
- SWNS, 2022 - *Travellers cause half-term misery for tourists after invading car park near Shakespeare's birthplace in Stratford-upon-Avon*

Most of the articles didn't engage at all with the Gypsy and Traveller people involved in the situation that was being reported. There were some quotes from Gypsies and Travellers or support organisations in stories that covered community campaigns for more site provision, but they amount to a small proportion of this coverage. Most articles include at least one quote from elected politicians, from the local authority, or from other residents, most often expressing anger and frustration.

- Halifax Courier, 2022 - *Talking Politics with Craig Whittaker (MP)*¹²

I am disappointed to see that despite new legislation giving the police powers to crack down on antisocial people causing misery by setting up illegal pitches and refusing to remove their vehicles, Brighouse is again plagued with another unauthorised encampment.

- Portsmouth News, 2022 - *DISGRUNTLED residents sick of travellers pitching up in parks have called on Britain's top chief inspector to force police to use new powers to move on illegal encampments.*¹³

III) The line between preventing discrimination and protecting free speech

In a website post related to opinion pieces covering Covid-19¹⁴, IPSO stated: *All editorial content, including opinion pieces, in IPSO member publications is regulated under the*

¹⁰ <https://www.echo-news.co.uk/news/20831400.travellers-booted-off-wickford-site-following-legal-battle/>

¹¹ <https://www.dailymail.co.uk/news/article-11094661/Fury-council-spends-1million-100-week-traveller-site-NEVER-used.html>

¹² <https://www.halifaxcourier.co.uk/must-read/talking-politics-with-craig-whittaker-3903025>

¹³ <https://www.portsmouth.co.uk/news/people/frustrated-hayling-resident-demand-britain-top-chief-inspector-steps-in-to-deal-with-illegal-traveller-encampment-3791025>

¹⁴ <https://www.ipso.co.uk/news-press-releases/covid-info-blogs/ipso-blog-opinion-pieces-and-covid-19-reporting/>

Editors' Code of Practice. The first clause of the Code covers accuracy and makes clear that publications must distinguish between comment conjecture and fact and that care must also be taken to demonstrate that any facts included in opinion pieces are accurate.

However, an example of this not being upheld is the Matthew Parris opinion piece published in The Times in 2021¹⁵ calling to phase out the “ethnic minority” rights of Gypsies and Travellers. Despite many inaccuracies in the piece, such the claim that government is “forcing councils to build sites” and that Gypsies and Travellers are not a race, but a “doomed mindset”, the many complaints to the regulator were not acted on.

The media cycle also meant that this one opinion piece led to coverage of multiple news articles in other national outlets, such as the Daily Mail, and multiple local outlets such as Derbyshire Telegraph/Derbyshire Live and Bolton News which are both owned by and syndicates of two of the largest media news conglomerates for local and regional titles – Reach Plc and Newsquest.

IPSO declining to act or uphold complaints only emboldens these instances and adds to the effect on mental wellbeing and sense that nothing will be done.

“Whenever people go to challenge things that are definitely racist but that don’t technically break the rules, it emboldens [the outlets] to do it.” Quote from a participant in the Media that Moves research

3) The impacts of current reporting on Gypsy and Traveller communities

Our organisations and those we represent and work with have a painful understanding of the impact that media representation of this nature has on communities. While in many cases, attitudes and beliefs about Gypsy and Traveller people are driven by ignorance and lack of awareness, they are also perpetuated by press and media’s over-reliance on tropes and stereotyping that do not reflect reality.

The following testimonies speak powerfully about the real-life impacts of press coverage that misrepresents and stereotypes Gypsy and Traveller people and therefore whole communities.

‘The sensational coverage of the Gypsy, Roma, and Traveller communities within media continues to incite racism and discrimination, without thought for the repercussions faced for a whole community in its entirety. The damage caused over many years of coverage, with headlines that grab the attention of its reader, followed by often inaccurate and non-factual stories that seem to then represent, or should I say misrepresent, our entire communities.

Headlines that continue to fuel racial comments and slurs across social media only add to the discrimination we face, in our daily life, including health care, education and recreation. Racial profiling and engaging stereotypes affect many of us even to be able to have a simple meal out or get a weekly shop. The impact of the pandemic only isolated us further, leaving many of our communities without essentials.

¹⁵ <https://www.thetimes.co.uk/article/its-time-we-stopped-pandering-to-travellers-2slbdvbp>

With poor mental health on the rise, this impacted our communities in a massive way, losing people needlessly. Access and engagement are hard enough and being stereotyped, as we so often are, only leaves all our communities less likely or able to engage to seek the help they need. We are often denied help from people outside of our own communities, because of the many misrepresentations that have been written about us.

As a proud Romany woman and mother of two, whose lives have been challenged by such stereotypical views, both my children have suffered at the hands of bullies, both adults and children and it has not been without sheer courage and determination, that my children have stayed in education, and excelled! My son has achieved two degrees in medicine, and currently undertaking a third, He would help anyone from any background. The word discrimination only still exists, by the hands that feed it and allow it to continue. In the year 2023 there is no other race, sex, religion, or culture allowed to be publicly slurred and slandered in such a way. How can we reach for the stars if we are still written in the gutter?' - Dee Cooper

'I am shocked by the number of media articles which vilify people who are Gypsy, Traveller and Roma, using a range of stereotypes which seem designed to produce a reaction from the public against whole communities. These stereotypes are negative and lead to GRT people refusing to admit their ethnicity. They fear losing employment, receiving abuse, or being refused the use of facilities e.g. wedding venues or restaurants. Children are taken out of school when they are subject to bullying, often in response to a high-profile media attack. This leads to distrust, resulting in people failing to engage with services including health. They are subject to a level of racism and hate speech which would not be tolerated towards any other ethnic group. Headlines often use negative stereotypes to flavour any media coverage of GRT people. Whole communities should not be subject to this sort of abuse.' - Lalage Grundy, Surrey Gypsy and Traveller Community Forum

I) Wide-spread negative public perceptions

In a 2022 report from the University of Birmingham¹⁶ designed to shed light on the scope of Islamophobia in Britain, researchers highlighted their own “surprise” at their highly concerning findings that people of Gypsy and Traveller ethnicity were the “least liked” minority group in Britain, with 44.6% respondents stating negative attitudes towards them. Muslims came second in the list of groups, with 25.9% of the British public feeling negatively towards them. Researchers described these as the two “standout groups” in the data, as more people evaluated them negatively than positively. They suggested this shows that ‘not only is there discrimination against these two groups but also that there is less public sanction against openly acknowledging one’s dislike.’

Abiline McShane, a British Romany Gypsy, told Sky News she was not surprised by the findings, and faced prejudice, and worse, on an almost daily basis. [...] She added: "You tend to find things like 'oh let's blow them up in their caravans or let's blow up their gas bottles while they're inside' - death threats to us are like a way of life." Sky News, 2022¹⁷

II) Hostility and hate crime

Hostility against Gypsy and Traveller groups is historic, long-standing and widespread, despite the communities being part of the fabric of British society for centuries. Media

¹⁶ <https://www.birmingham.ac.uk/documents/college-artslaw/ptr/90172-univ73-islamophobia-in-the-uk-report-final.pdf>

¹⁷ <https://news.sky.com/story/death-threats-are-a-way-of-life-gypsies-and-irish-travellers-and-muslims-least-liked-in-uk-survey-finds-12524098>

coverage, public comments and statements from those in positions of power all reveal deeply ingrained misconceptions about, and prejudice against, Gypsies and Travellers.

The Equality and Human Rights Commission found that Gypsy and Traveller communities are subject to 'bias and hostility' in the UK¹⁸, with the European Commission finding that 'negative and inaccurate reporting by certain sectors of the media is contributing to hostile attitudes towards certain groups, in particular Gypsies and Travellers'.¹⁹ The Leveson Inquiry also confirmed these findings, stating that the hostility towards and racial stereotyping of GTR people is widely used by the press in a way that would not be tolerated with any other minorities.

"Hate: As Regular as Rain"²⁰, a report by GATE Herts, a Gypsy and Traveller-led organisation based in Hertfordshire, looked at psychological effects of hate crime on GRT communities. Notable upticks in hate speech were linked to publicity around high profile criminal cases, media reporting of unauthorised encampments or negative political discourse. 'Influence and impact of the media' and 'negative media stereotyping' were reported as the top two influences on high levels of hate crime experiences in these communities. 'Media incitement to racial hatred' was experienced by 82% of respondents. 71 out of 88 respondents to the survey spoke in relation to both media and political figures 'stirring up' hostile reporting, attitudes and discourse.

However, the community's experiences of hate crime are drastically underreported due to mistrust in authorities like the police. Liberty Investigates found in 2020²¹ that police forces across the UK took action on almost 500 fewer cases in comparison with five years earlier, and only 14% of people who reported a hate crime saw conclusive outcomes, despite hate crime reports doubling from 52,785 to over 106,000 in that time frame.

III) Health inequalities and mental health crisis

Abuse incited against Gypsy and Traveller communities is highly traumatising, with discrimination causing further ostracising alienation, as well as the 'ripple effect' of experiencing hate crime on mental health, suicide and para-suicide. A large proportion of support workers who took part in the Herts GATE survey said that over 90% of clients who had killed themselves or attempted suicide had previously experienced hate incidents.²²

Using data from the most recent 2021 Census, the Office for National Statistics produced an article²³ showing differences between ethnic groups across categories including health, employment and education. Across all ethnic groups, Gypsy or Traveller people had the highest percentage of people with "very bad" health, at 3.8% and a further 8.9% saying their health was "bad", in comparison to 1.2% of the population. This group also had the highest proportion of disabled people, at nearly 1 in 6 (16%), more than twice the rate of the general population.

¹⁸https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/476333/EHRC_IBF_MainReport_acc.pdf

¹⁹ para 9 page 3, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G08/115/86/PDF/G0811586.pdf?OpenElement>

²⁰ <https://gateherts.org.uk/wp-content/uploads/2020/12/Rain-Report-201211.pdf>

²¹ <https://libertyinvestigates.org.uk/articles/victims-being-failed-as-police-resolve-fewer-hate-crimes-in-2020-than-2015-despite-reports-doubling/>

²² <https://gateherts.org.uk/wp-content/uploads/2020/12/Rain-Report-201211.pdf>

²³ <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/ethnicgroupdifferencesinhealthemploymenteducationandhousingshowninenglandandwalescensus2021/2023-03-15>

IV) Bullying and discrimination in schools

The Traveller Movement report 'The last form of acceptable racism' found that 70% (138 out of 199 interviewed) of Gypsy, Roma and Traveller young people had experienced discrimination in some form in education.²⁴

In a survey conducted by Friends, Families and Travellers in 2019²⁵, Gypsy, Roma and Traveller young people were asked what the biggest challenge in school they faced was; 86% of pupils reported the biggest challenge at school being bullying, followed by racism at 73%.

V) Accommodation crisis

As highlighted in the recent reporting examples in the previous section, the overwhelming focus on camps and stopping on land is very rarely, if ever, balanced with contextual factors such as the lack of sites and stopping places that are most often factors driving these occurrences. The vast majority of Gypsy and Traveller people now live in housing, as social or private tenants, due to lack of culturally suitable provision, and for the safety of themselves and their families. For the other quarter, a chronic lack of sites and places to stop cause large numbers to struggle with homelessness.

A research report by Friends, Families and Travellers released in 2021²⁶ revealed that whilst over 1696 households were on waiting lists for pitches, there were just 59 permanent and 42 transit pitches available nationwide. The Police, Crime, Sentencing and Courts Act 2022 penalises people for having nowhere to go due to dramatic failings of the provision of homes, despite accommodation needs assessments that are carried out across the country by local authorities.

Gypsy and Traveller communities are demonised for actions caused by policy failings that force people into roadside encampments that are now characterised as "illegal", further straining community relationships and cohesion. Mainstream press and tabloid media hold direct responsibility for shutting down debate, and pushing one-sided framing of the issue and pushing for the "othering" of Gypsy and Traveller people for political ends.²⁷ Eviction is therefore framed as a moral good on the side of the "common person", as part of a civilising mission that is still inherently racialised, without considerations of other arguments.

A vicious cycle ensues with a focus on evictions and enforcement, councils feeling under pressure to follow on and use this same framing with local and regional media as a "vote-winner". News stories are framed around securing areas from these communities, over-policing and pitting other people and groups against Gypsy and Traveller communities, stereotyping and othering them as a villainous outgroup.

The impacts on policy making that this vicious cycle have are very clear and damaging, especially in terms of meeting accommodation needs. They include massive campaigns

²⁴ The Traveller Movement, 2017 <https://wp-main.travellermovement.org.uk/wp-content/uploads/2021/09/The-Last-Acceptable-Form-of-Racism-2017.pdf>

²⁵ https://anti-bullyingalliance.org.uk/sites/default/files/uploads/attachments/School%20Report%20and%20Findings%20for%20action%20against%20bullying%20of%20Gypsies%2C%20Roma%20and%20Travelling%20children%20in%20schools_V4_0.pdf

²⁶ <https://www.gypsy-traveller.org/wp-content/uploads/2021/02/Briefing-Accommodation-February-2021-1.pdf>

²⁷ <https://journals.sagepub.com/doi/10.1177/23996544211067381#body-ref-bibr77-23996544211067381>

mounted by residents to object to the provision of new permanent residential sites, even when Gypsy and Traveller families have bought their own land, which often influence planning committees, increasing council and police powers to enforce against people stopping on the roadside, despite the lack of safe and suitable transit sites or stopping places in the area and investing in security measures to exclude families instead of providing accommodation and basic sanitation facilities.

4) Suggested changes to the Code

To address our concerns in the two previous sections about press reporting and its often-negative impact on Gypsies, Roma and Travellers – and indeed all minority groups recognised as having a protected characteristic in the Equalities and Human Rights Act – we ask that the Editor’s Code of Practice clause 12 Discrimination is amended.

Clause 12 – as all IPSO regulated editors know - currently reads:

i) The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability.

ii) Details of an individual's race, colour, religion, gender identity, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

This, we believe, is not sufficient to protect the rights, interests and wellbeing of the UK’s Gypsies and Travellers. Clause 12 is only triggered if a prejudiced or pejorative reference is made to an identified individual Gypsy or Traveller, and that particular individual then complains to IPSO. As most negative newspaper reports relating to Gypsies and Travellers do not name the Gypsy and Traveller protagonists as individuals, clause 12 is very rarely triggered. The UK’s Gypsy and Traveller people are at the mercy of the society-wide effects of the drip, drip, drip of Gypsy and Traveller ethnicity being highlighted in press reports about the actions of individual perpetrators who happen to be Gypsies and Travellers themselves – as described in the previous section of this submission.

We believe that clause 12 should be amended because:

1. The current clause 12 is unfair. Currently all Gypsies and Travellers are implicitly denigrated because a local or national press report has highlighted the Gypsy and Traveller ethnicity of an alleged perpetrator(s) involved in an incident or crime in a prejudicial or pejorative way. There needs to be some protection against this in the Editors Code of Practice as currently there is none.
2. The current clause 12 also brings IPSO into disrepute. Hard-working complaint handling staff have to reject almost all clause 12 complaints because an individual has not been named in a news report or opinion piece that otherwise reads as pejorative or prejudicial to most readers – not least to Gypsy and Traveller readers. The Travellers’ Times is aware that when Gypsies and Travellers complain about what they see as a prejudiced or pejorative report, they are left baffled when IPSO rejects their complaint without even considering it because of what those affected perceive to be some ‘small print’ about not being a named individual.

3. Clause 12 is increasingly out of date and is being superseded by organic change that is already happening within IPSO member publications. We note with hope that in the last couple of years, most IPSO member news reports on crime, where the alleged perpetrators may have been Gypsies or Travellers, that their ethnicity has not been highlighted in national and local news reports, particularly in the headlines. Clause 12 should be amended to recognise this apparent change.

There are three routes that the Code Committee could look into if they were to consider addressing the current ineffectiveness of clause 12:

The first way is to follow a similar route to Impress, who recently addressed discrimination in its new code.

The second way is to look towards the Irish Press Code of Practice, which arguably goes further than Impress, and which adopted its Principle 8 on discrimination in 2014.

The third way is to adopt the Travellers' Times own 'in house' amendment of clause 12, which it uses to guide its own reporting.

Impress

Impress used to regulate by the same Editors Code of Practice as IPSO, however, this has recently changed and Impress's new code on discrimination now reads like this:

4 Discrimination

4.1. Publishers must not make prejudicial or pejorative reference to a person on the basis of that person's age, disability, mental health, gender reassignment or identity, marital or civil partnership status, pregnancy, race, religion, sex or sexual orientation or another characteristic that makes that person vulnerable to discrimination.

4.2. Publishers must not refer to a person's disability, mental health, gender reassignment or identity, pregnancy, race, religion or sexual orientation unless this characteristic is relevant to the story."

It is important to note that Impress's use of 'person' is the same as the Editor's Code of Practice's use of 'individual', so complaints are limited to allowing them only if they come from a person named in the report, but Impress do allow some wriggle room in accepting complaints on 4.1 and 4.2 from third parties by running a 'balancing test' against the public interest. Their guidance on this reads:

Clauses 4.1 and 4.2 relate to the treatment of individuals, not groups. Impress will accept complaints under Clauses 4.1 and 4.2 from anyone personally and directly affected by an alleged breach of these clauses and from a representative group affected by an alleged breach where there is a public interest in Impress considering their complaint.

Impress then go beyond the current Editors Code of Practice clause 12 and add this to point 4:

4.3. Publishers must not incite hatred against any group on the basis of that group's age, disability, mental health, gender reassignment or identity, marital or civil partnership status,

pregnancy, race, religion, sex or sexual orientation or another characteristic that makes that group vulnerable to discrimination.

However, the additional guidance for 4.3 makes it clear that 4.3 does not go much – if at all - further than what the criminal law already states and that a strong freedom of expression test is made when handling a point 4.3 complaint:

This clause concerns explicitly encouraging hatred or abuse of a person or group based on their characteristics. It does not concern content that merely hurts feelings; the disputed content must be more than provocative, offensive, hurtful or objectionable.

And:

Impress will interpret this clause with a strong presumption in favour of freedom of expression.

And:

While this clause is not intended to replicate the law, Impress's approach to interpreting and applying it will be similar.

Irish Press Code of Practice

A similar approach, but arguably going further than Impress's point 4 because it goes beyond Irish criminal law, is the Irish Press Code of Practice Principle 8, which simply reads:

Principle 8 - Incitement to Hatred

Newspapers and periodicals shall not publish material intended or likely to cause grave offence or stir up hatred against an individual or group on the basis of their race, religion, nationality, colour, ethnic origin, gender, sexual orientation, marital status, disability, illness or age.

Principle 8 also comes with guidance which is worth reproducing in full below:

Principle 8 contains two separate provisions. It provides that newspapers and magazines shall not publish material intended or likely to cause grave offence, or stir up hatred against an individual or group, on the basis of their race, religion, nationality, colour, ethnic origin, membership of the travelling community, gender, sexual orientation, marital status, disability, illness or age. Although the latter categories are identical to those set out in the Prohibition of Incitement to Hatred Act 1989, the provisions of the Act apply only to material that a court may decide constitutes an incitement to hatred, whereas the Code of Practice identifies another potential area for concern and decision when it refers to the publication of material "intended or likely to cause grave offence" on any of the grounds specified.

It is important to recognise that although a complainant may claim to have been gravely offended by the publication of an article, and therefore believes it to have been in breach of Principle 8 of the Code, a decision to uphold a complaint will be made on the basis of whether or not the material concerned was, in the opinion of the Press Ombudsman, intended or likely to cause grave offence on any of the grounds specified, rather than on the basis of the complainant's assessment of the gravity of the offence caused. Some readers have also complained about particular articles on the grounds that they were "offensive" or "caused offence" to them for a variety of reasons.

However, a complaint about a breach of Principle 8 can be upheld only if an article caused grave offence or stirred up hatred on the basis of the complainant's association with one of

the twelve categories referred to in that Principle. In this context it is also worth noting that the legitimate right of a publication to comment on the news will occasionally cause offence to some people, but this does not necessarily, of itself, amount to a breach of Principle 8.”

The Travellers’ Times

The Travellers’ Times is an IPSO member and regulated by the provisions of the Editors Code of Practice, which we at the TT find simple and elegant to understand. With that in mind our third and final suggestion for change is for the Code Committee to keep it simple and adopt the Traveller’s Times own in-house wording for clause 12, which now reads (capitals for emphasis):

“i) The press must avoid prejudicial or pejorative reference to an individual’s OR GROUPS race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability.

ii) Details of an individual’s OR GROUPS race, colour, religion, gender identity, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.”

Obviously, IPSO will continue to judge complaints against the Travellers’ Times using the current Editors Code of Practice, our amendment of clause 12 is ‘in-house’ and serves to guide our reporting.

Conclusion

We appreciate the time taken to read our submission. As aforementioned, our Media Network Group would be grateful to engage with IPSO and bring these issues and solutions to them.

We believe that the Code Committee amending the Editors Code of Practice clause 12 to allow complaints to be investigated about press reports that make ‘*prejudicial or pejorative references to a **groups** race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability*’ would be a powerful statement in the interests of IPSO, and reflect the changing ethos of the British press and wider society, whilst still safeguarding freedom of expression and the right for the press to be partisan.