



SUBMISSION TO THE EDITOR'S CODE COMMITTEE FOR PUBLIC CONSULTATION

INTRODUCTION

The media plays an integral role in our life. We strongly uphold the principle that freedom of expression and a truly free and plural press is an important cornerstone of our democracy. We agree that the newspapers have the right to inform and express opinions in the public's interest without fear of censorship. We are also open to fair scrutiny of our communities and member institutions. However, freedom of speech should not be used as an argument to allow parts of the press to demonise and discriminate against vulnerable minorities and to inflame tensions.

This submission aims to outline **Citizens UK's** views and recommendations to the **Editor's Code Committee** (ECC) with regards to the biased and often discriminatory reporting on issues related to migration and refugees. We believe that our recommendations will ensure that the Editor's Code is better suited to serve its purpose. It is designed to set the framework for the highest professional standards for the press and to balance both the rights of the individual and the public's right to know¹. In our view, as it currently stands, the Code fails to protect the rights of vulnerable groups and individuals and allows discriminatory reporting to continue.

WHO WE ARE

Citizens UK is a national charity and the biggest network of over 350 diverse civil society institutions including schools, universities, faith institutions, trade unions and housing associations, which campaign together on the issues of social and economic justice. We are best known for the Living Wage and Refugees Welcome campaigns which have scaled to impact across the country, but our primary focus is on organising for social justice and the common good at the local level. With strong alliances in London, Milton Keynes, Nottingham, Birmingham, Cardiff, Leeds, Tyne and Wear, Manchester and over ninety Refugee Welcome teams we reach out to over 500,000 people across the UK.

Our alliance brings together ordinary people from long established communities and new communities of migrants and refugees which contribute to the fabric of our society. **Stand Up Stand Out** is a team of talented young leaders with migrant and refugee background drawn from our membership (SUSO). SUSO addresses inequality and racism and works together for the dignity and fair treatment of migrant youth and their families.

¹ [The Editor's Code of Practice, IPSO](#)

WHY IT MATTERS TO US

All our campaigns come from grassroots of our diverse membership who shape the agenda of issues that matter to them most. They are members of the newspaper reading public and their views should be heard in any debate about press standards. In 2016 we were alarmed by a significant rise in hate crime attacks and reports from our members that they have personally been affected experiencing verbal and physical abuse due to their race or ethnicity. People were told to 'go home', our Mosques were attacked and people were pushed on the street for speaking a foreign language.

In the wake of abuse following Brexit our leaders organized a series of actions to say that there was "no place for hate"² in our streets and we want Britain to be a welcoming country for everyone. The SUSO team ran a broad listening campaign among their members to identify an issue that concerns them most and would bring them together to act. Biased and discriminatory reporting around issues of migration was top of their agenda, at the time of heated public debate around migration in the run up to the EU referendum.

RELATIONSHIP BETWEEN MEDIA AND THE RISE IN HATE CRIME

SUSO undertook research to monitor inaccuracies and bias in reporting standards across different press outlets. Their analysis showed a systemic increase in the frequency of divisive and discriminatory headlines and articles, use of abusive phrases and dehumanising language linking migrants to criminal activity and inciting false panic and hostility towards. This had an impact not only on the immigration narrative but led to the peak rise in hate crime and islamophobia following Brexit³, which as a result created greater fear and anxiety within our own member institutions. Recent coverage of CUK Safe Passage⁴ campaign and media presentation of Calais children jeopardises our work and causes fear and distress to our members campaigning to welcome refugees.

The link between hostile anti-immigration rhetoric and the rise in hate crime in the UK has been stressed by the 'European Commission against Racism and Intolerance' and the 'UN Committee on the Elimination of Racial Discrimination'⁵ who expressed "deep concern that the referendum campaign was marked by divisive, anti-immigrant and xenophobic rhetoric, and that many politicians and prominent political figures not only failed to condemn it, but also created and entrenched prejudices, thereby emboldening individuals to carry out acts of intimidation and hate towards ethnic or ethno-religious minority communities and people who are visibly different".

² http://www.citizensuk.org/love_london

³ <http://www.bbc.co.uk/news/uk-politics-37640982>

⁴ <http://www.dailymail.co.uk/news/article-3849646/Mature-years-fears-real-age-child-migrants-arriving-Calais.html>

⁵ <http://www.errc.org/article/the-committee-on-the-elimination-of-racial-discrimination-trends-and-developments/1432>

The Leveson Report⁶ made a number of recommendations to make the press more accountable. In relation to reporting on migration it states ‘while newspapers are entitled to express strong views on minority issues, immigration and asylum, it is important that stories on those issues are accurate, and are not calculated to exacerbate community divisions or increase resentment.’

Sir Alan Moses, Chairman of IPSO responsible for press regulation, in his recent interview with Financial Times said he was ‘personally frustrated’ with the ‘nasty’ tone of some newspapers and that he would like media to be more responsible, particularly on immigration and race.⁷

Therefore, we would like to work together with IPSO and the Editor’s Code Committee to ensure that the most vulnerable people in our society are not being discriminated against and abused. Our members are concerned that there are serious weaknesses and biases in the code that need to be addressed.

CUK’S RECOMMENDATIONS TO THE EDITOR’S CODE

- 1) The code should specify in the preamble and under accuracy clause that equivalent prominence should be given to corrections and apologies.**
- A. We recommend that if the breaching headline or article was on the front page, then the correction and apology should be issued on the front page.** A front page headline can be read by millions of people, many of whom will not buy the paper. IPSO will only require corrections inside the newspaper, in significantly smaller print than the original headline, occasionally with a footnote on the front page. This means that most of those that read the headline or original story will never learn the article was inaccurate. Without equal prominence there is no deterrence to a newspaper breaching the code with a front page story because the correction/apology is hidden. A significantly misleading front page headline should to be corrected by an equally sized front page correction (and, where appropriate, apology) in good time. This should be monitored by the regulator and a failure to comply should be regarded as a breach of contract with penalties applied. To make a clear reference to the article, there could be a small picture on the same page of the corrected article and an explanation that it was inaccurate.
- B. We recommend that corrections and apologies should be put across all relevant media, including social media.** With the surge of social media, a front page or a prominent article can be shared with millions of people at once. This is often the case

⁶ <http://webarchive.nationalarchives.gov.uk/20140122145147/http://www.levesoninquiry.org.uk/>

⁷ <https://www.ft.com/content/3fd91b94-8fb0-11e6-8df8-d3778b55a923>

with articles shared on right wing blogs and websites and are used to incite hate towards migrant and refugee communities. However, a correction or apology to an article that was shared widely in social media will not receive equal prominence.

- C. **We recommend that online corrections and apologies should be published online with equivalent prominence to the breach.** If an article which was found to be a breach was published on the top screen of the home page, then the apology and correction should also be published on the top page rather than a number of scrolls down. Often, in online versions of the newspapers, corrections and apologies are made in a different webpage from the original article. Readers of the original article would not be immediately notified of the correction unless they looked for it or found it by chance.

Studies and examples of the discriminatory articles outlined in the appendix of this report outline the effects it has on specific individuals, even when a correction has been issued and more needs to be done to ensure our press are not inciting hate or creating prejudice.

One such example is the case of the Sunday Telegraph and the false accusations against Mohammed Kozbar. After a 6 month struggle which has affected him, his family and the Finsbury Park Mosque community, Mohammed is still distressed with the conduct of certain sections of the press and their adherence to standards of accuracy, truth and professionalism. It took much of his time, effort and perseverance to prove his innocence. Until this day Mohammed remains denied the right to reply on the pages of the Telegraph, which goes against “balancing both rights of the individual and the public’s right to know”.

2) Clause 12 (Discrimination) should cover groups as well as individuals and vulnerable groups should include migrants and refugees.

A. We recommend that groups should be able to bring complaints under Clause 12.

In recent coverage of migration issues, migrants and refugees are often referred to as a part of a collective rather than a specific individual. In misleading and discriminatory reporting migrants and refugees are often associated with criminality and violence (examples included in the appendix), and their immigration status, race or religion is often referred to with a high volume of sensationalism and scaremongering. Therefore, the code should allow the discriminated groups to raise complaints against incorrect and discriminatory reporting. A group in this terms should be defined as a group of people with a common characteristic. For example, when a newspaper prints a discriminatory attack on a particular person, it becomes liable to face a Code complaint, however if the news makes a general attack towards a group, the newspaper cannot be held to account.

Freedom of speech is a right every individual has, but it should not be used in newspapers to influence harm on others such as Katie Hopkins' opinion pieces. One of her controversial Sun columns is particularly alarming, where she compares migrants to cockroaches⁸. The use of the word "cockroaches" to describe a group of migrants was not challenged because there is no explicit statement on the Editor's Code of Practice that holds the press to account when pejorative or racist comments towards a group are used. For this particular case, IPSO rejected all complaints that the column was discriminatory, on the grounds that it did not refer to a specific individual. With this, the press is free to write and benefit financially from prejudicial or pejorative articles with explicit references to a group if the Code does not sanction them for doing so.

- B. We recommend that Clause 12 should include reference to ethnic background or the following wording: 'and any other characteristic which makes an individual vulnerable to discrimination'.**

As it stands the Code does not protect all groups and individuals vulnerable to discrimination. Therefore, there needs to be a new language guidance added to cover all potential cases. The underrepresentation of certain groups is not limited to ethnic background, and we believe that every characteristic towards any individual or group should be covered anytime the media is involved.

- C. We recommend that a new clause should be introduced to prevent use of abusive language and prejudicial reporting with reference to vulnerable groups.**

We believe a new clause should be introduced to prevent hate speech, or other prejudicial and abusive coverage of groups subject to discrimination. Clause 12 should state that opinion pieces as well as news stories must not use abusive language with reference to vulnerable groups. People should be given right to express their opinions but at the same time the rights of an individual and groups should be protected from abuse unless justified in the public interest. This is not about causing offence. This is a matter separate from abuse. We are not arguing for a right not to be offended but we are arguing for a right not to be abused.

UK laws dealing with hate crimes and hate speech do outlaw expression of hatred (insulting, abusive and threatening language and behaviour) against groups of people on the grounds of race. A person is guilty of an offence if their action "intends to stir up hatred, or hatred is

⁸ Why Katie Hopkins can call migrants 'cockroaches' - Ipsos defends Sun ruling Read more at: <https://inews.co.uk/essentials/news/uk/katie-hopkins-can-call-migrants-cockroaches-ipso-press-regulator-defends-sun-ruling/>

likely to be stirred up.” In the case of religion and sexual orientation the language must be threatening and intended to stir up hatred. The Public Order Act 1986, the Racial and Religious Hatred ACT 2006 and the Criminal Justice and Immigration Act 2008 all say “[...] hatred means hatred against a group of persons ... (defined by reference to race, religion, or sexual orientation). For newspapers (as opposed to a criminal offence) a middle way is suggested where language which is abusive or treating against groups should be a code breach unless justified in the public interest. The Code should follow the premises these laws convey and by acknowledging the fact that migrants and refugees must not be abused by the press it will ensure that the Code prevents use of the press to incite hate and prejudice.

CONCLUSION

We believe that although IPSO has recently required correction in a few cases⁹, it has failed to hold media accountable and to deter spread of hate speech in the media.

We fully support the concept of free speech and also believe that IPSO and ECC should do more to ensure that reporting on migrants and refugees is fair (in the sense of not being distorted or prejudiced) and balanced and that the rights of individuals and groups are respected. Our aim is to modify behavior of the press by ensuring a remedy post publication, not to censor it. The freedom of speech is an essential element of our democracy, but at the same time we need to develop an effective mechanism that can protect the most vulnerable people in our society.

With the spread of fake news and increase in biased and discriminatory reporting it is imperative that we have an effective regulator that is ensuring we have trusted and responsible journalism, with a strong set of standards that are adequately and fairly enforced. We believe there should be standards investigation into negative portrayal of migrants and refugees and the recommendations listed in this report should be implemented and it is a matter of press accountability.

⁹ http://www.huffingtonpost.co.uk/entry/uk-media-islam-muslims_uk_587248f1e4b0a1ff70423a9d

APPENDIX

1) Examples of discriminatory articles about migrants and refugees



2) Discriminatory articles published on far right websites to incite hate against migrants and refugees

- Just wrong: Britain to send £100 million in foreign aid to south Sudan & Somalia:
<https://www.britainfirst.org/just-wrong-britain-to-send-100-million-in-foreign-aid-to-south-sudan-somalia/>
- Border crisis: illegal migrants not escorted, asked to make own way to processing centre:
<http://www.britainfirst.org/border-crisis-illegal-migrants-not-escorted-asked-to-make-own-way-to-processing-centre/>
- Do it: Trump can simply wipe ISIS jihadi's off the face of the earth, claims top us adviser:
<http://www.britainfirst.org/do-it-trump-can-simply-wipe-isis-jihadis-off-the-face-of-the-earth-claims-top-us-adviser/>
- Migrant terror: teen Syrian 'made bombs to order from ISIS' after being radicalised:
<http://www.britainfirst.org/migrant-terror-teen-syrian-made-bombs-to-order-from-isis-after-being-radicalised/>

Examples of tweets of Britain First referring to press articles.



3) Mohammed Kozbar's testimony about the effect false accusations made by the press had on his public and private life

http://www.telegraph.co.uk/news/politics/Jeremy_Corbyn/12192292/Jeremy-Corbyn-and-the-mosque-leader-who-blames-the-UK-for-Isil.html

On 13th March 2016 Daily Telegraph published an article in which it portrayed Mr Mohammed Kozbar, the Chairman of the Finsbury Park Mosque, as someone who 'blamed the UK for ISIL', and supports the use of violence in the Israel-Palestine conflict. In fact, Mr Kozbar has never held such views and the article was false. It took Mr Kozbar a long battle to prove his innocence and he was given an apology but without a right to reply. Below is Mr Kozbar's testimony about the impact the article had on him, his family and his community.

The Sunday Telegraph published a statement on the 18th of September, which set the record straight on insidious accusations made by Andrew Gilligan in the article published on the 13th of March, defaming myself as well as Finsbury Park Mosque.

Whilst I am pleased and satisfied with this conclusion of a 6 month struggle which has affected myself, my family as well as the Finsbury Park Mosque community, I am by no means happy with the state of affairs with certain sectors of the British media and their adherence to standards of accuracy, truth and professionalism. Had I not persevered with an almighty battle, which consumed much of my time and effort and drained my family, and had I not enjoyed the backing of the FPM and the local Islington community, the allegations that Mr Gilligan falsely made would have ruined my life. The fact that, as far as I am aware, Mr. Gilligan was never reprimanded for his false claims, and that until this day I am denied the right to reply on the pages of the Telegraph, are unacceptable and reflect badly on the state of the British press and the standards of justice, truth and fairness.

As a Director of the Finsbury Park Mosque I have worked tirelessly to improve negative perception of the Mosque and show its positive contribution to the wider community. We managed to built strong relationships between Muslim community and other faith and non-faith institutions in North London. As a result of the article our Mosque and its community were bombarded with Islamophobic attacks by emails, phone and social media. There were also physical attacks, especially on women wearing a hijab and there was an incident of pig's meat being thrown at the mosque. The article had a huge impact on the community members who suddenly saw their mosque been labelled as an extremist institution. The Mosque and its community was again subject to an intense media scrutiny. The article was aimed to destroy my credibility and reputation.

As for me and my family, we went through a very hard time. My wife and children got very depressed and scared after reading the article. We received threatening messages through Twitter which we regularly reported to the police. I had to take extra care and precautions to ensure safety of my family. This will have a long lasting effect on me and my loved ones.

Many thanks to those who stood by me and Finsbury Park Mosque which will remain in the pursuit of community cohesion, social harmony and equality.

4. Testimony by Stephanie Neill, Principal of Clacton Coastal Academy.

In November 2016 a group of primary school teachers and children put together a video showing their support for refugee children. Media accused the schools of using children to peruse their agenda without parental consent. The attacks made by the local press and Daily Express affected children, teachers and their wider community.

<http://www.express.co.uk/news/uk/728930/children-brainwashed-pro-refugee-youtube-video>

The article about our project was first posted in the local press following a campaign by a local UKIP councilor. I spoke to the local paper alerted to them requesting information from parents on on the "Spotted in Clacton" FB page. I explained that I felt they were inciting parents by asking "who they would complain to." They hadn't even spoken to the schools and didn't know it had been a student led project from our school.

The article in the local press, although unfairly headlined, was reasonably balanced in its content and had views of parents from both sides of the debate. The article in the Daily Express was not at all balanced. The use of language very unfairly and inaccurately represented the project and was very insulting to the young people who ran it. The article suggests we were "forced to defend the video". The article quotes the local Councillor saying that the schools were using his children for a political campaign. His children are in our school and they didn't participate. Our young people explained to each class what they were doing and invited students to join in if they wished.

It deeply concerns me that I could be quoted by the Daily Express when I hadn't spoken to them and they had not contacted me for a quote. It made me feel that those reading the article would think these were my words.

This was a project with a collaboration of schools. It was the first activity schools had taken part in together in a very long time. We were very proud of what we had done. The articles left a very bad taste in our mouths. It has made me reticent to tackle difficult issues again, which would be against my moral standpoint, but I feel I have put other Head Teachers, teachers and students in the firing line and I could have avoided it.

The unity created in the school community by this project should never be underestimated. Our students, many of whom never leave the town of Clacton, had their eyes opened to the wider world and the tough decisions that have to be made as a society. It prompted discussion, deeper thought and challenge, all things we will continue to promote.