



Consultation response to the review of the Editors' Code of Practice

Purpose

The Editors' Code of Practice Committee has invited suggestions from the public, editors, journalists, others working in the media, and anyone else with an interest in journalistic standards, on how the Code might be revised to improve the system of self-regulation of the press, of which it is an essential part.

Role of the Domestic Abuse Commissioner

The Domestic Abuse Act established in law the office of the Domestic Abuse Commissioner, to provide public leadership on domestic abuse issues and play a key role in overseeing and monitoring the provision of domestic abuse services in England and Wales.

The role of the Commissioner is to encourage good practice in preventing domestic abuse; identifying victims and survivors, and perpetrators of domestic abuse, as well as children affected by domestic abuse; and improving the protection and provision of support to people affected by domestic abuse from agencies and government.

Context

The prevalence of domestic abuse is consistent across England and Wales and it is one of the most prominent types of violence, with 2.2 million people experiencing domestic abuse every year. One third of all violence recorded by the police is domestic abuse-related,¹ and it is the most common type of violence experienced on a repeated basis.² Almost half of all female homicides (and 8% of male homicides) are domestic homicides.³

¹ Office for National Statistics (ONS), [The nature of violent crime in England and Wales: Year ending March 2020](#), Section 7, Groups of people most likely to be victims of violent crime.

² Ibid, Section 6, Levels of Repeat Victimisation.

³ ONS, [Homicide in England and Wales: year ending 2019](#).

Criminologists and domestic abuse experts have established that when someone kills their partner or ex-partner, it marks the endpoint to a sustained period of coercive control.⁴ Professor Jane Monckton-Smith's eight-stage timeline illustrates that domestic homicide is predictable and preventable. After reviewing 372 cases of domestic homicide, Monckton-Smith identified that these killings are regularly preceded by behaviours such as excessive jealousy, attempts to control a victim's freedom or behaviour, and paranoia about infidelity.⁵

Situating domestic abuse killings in the context of the behavioural patterns that precede them accurately and helpfully depicts fatal domestic abuse for what it is: a preventable public health issue, as classified by the World Health Organisation (WHO) under the umbrella of gender-based violence.⁶ This aligns with the Government's response to serious violence (including domestic abuse) through the serious violence duty, which utilises data to identify behaviours and risk which increase likelihood of being a victim or perpetrator, and responds with early and preventative intervention.

Though experts have demonstrated that the behaviours that drive someone to commit domestic homicide are rooted in coercive control, and that domestic homicide is both predictable and preventable, media reporting often tells a different story. To ensure that all cases of fatal domestic abuse are reported with dignity, accuracy and in a way that prevents harm to victims' families, it is necessary to amend the IPSO Editors' Code of Practice to include a subclause that enforces editorial standards in the reporting of such cases.

Media reporting of fatal domestic abuse at present

There is a public interest in the reporting of fatal domestic abuse, and its regularity makes it a standing news item in the British press. Headlines on these reports typically follow a formula where a victim's death is de-contextualised from the broader relationship dynamic, and presented as a one-time event that occurs 'after' her own actions. "*Hubby guilty of murdering his wife after 'row over her lesbian tryst'*",⁷ "*Husband killed his wife after she mocked the size of his penis*",⁸ and "*Jilted*

⁴ Stark E (2007) *Coercive Control: How Men Entrap Women in Personal Life*, Oxford University Press

⁵ After reviewing 372 cases of intimate partner homicide, professor Jane Monckton-Smith identified patterns in perpetrators' behaviour that could be broken down into eight stages. A diagram of the eight stages has been published by the University of Gloucester here: <https://professionals.lincolnshire.gov.uk/downloads/file/2165/8-stage-homicide-timeline-resource>

⁶ World Health Organisation [WHO] (2021) 'Gender based violence is a public health issue: using a health systems approach', news article. <https://www.who.int/news/item/25-11-2021-gender-based-violence-is-a-public-health-issue-using-a-health-systems-approach>

⁷ Fricker M (2018) 'Hubby guilty of murdering his wife after "row over her lesbian tryst"', *Mirror*. <https://www.mirror.co.uk/news/uk-news/picture-lover-lesbian-tryst-row-12808949>

⁸ Wharton J (2018) 'Husband killed his wife after she mocked the size of his penis', *Metro*. <https://metro.co.uk/2018/06/28/husband-killed-wife-mocked-size-penis-7667004/>

*lover stole M4 rifle and executed estranged wife, her mum and pet dog when she refused to rekindle*⁹ are just three examples.

As the above examples show, media reports on domestic abuse deaths too often focus on a 'trigger' event, usually the victim's purported actions, and tend to sympathetically romanticise killers with references to 'jilted' or 'scorned' 'lovers'. There is a growing body of academic research that has proven the negative impacts of such romantic framings of domestic homicide – both among the public and in the criminal justice system.

Recent academic research which tested readers' reactions to different news frames for reports of fatal domestic abuse has found that romanticised framings reduced empathy for victims. When a woman's killing was labelled as "love killing" compared to "murder", empathy for the victim reduced and readers were more likely to perceive male perpetrators as a 'loving person'¹⁰. The study also said this type of reporting "creates a vicious circle of violence in which patterns of gender discrimination and inequality are perpetuated."¹¹

Research published in Professor Jane Monckton-Smith's landmark book *Murder, Gender and the Media* found that romantic narratives in domestic abuse murder trials can lead to lighter sentencing, even when there has been clear evidence of physical violence leading to murder. Monckton-Smith found that men who proclaimed "love" before, during or after they enacted fatal violence were given more lenient sentences and more sympathy than those who demonstrated an absence of love.

With this academic evidence in mind, it is clear that articles that report fatal domestic abuse using romantic frames or references to 'love' perpetuate the cultural conditions that harm victims and potential victims. Furthermore, such reporting regularly violates victims' dignity and, once dead, these victims do not have the 'right to reply' to claims made about them, in any other context heralded as the golden rule of objectivity in news journalism.

Impact of media reporting of victims' families

⁹ Thompson F (2018) 'Jilted lover "stole M4 rifle and executed estranged wife, her mum and pet dog when she refused to rekindle"', *Metro*. <https://www.mirror.co.uk/news/uk-news/jilted-lover-stole-m4-rifle-13420326>

¹⁰ Schnepf, J., & Christmann, U. (2023). "Domestic Drama," "Love Killing," or "Murder": Does the Framing of Femicides Affect Readers' Emotional and Cognitive Responses to the Crime? *Violence Against Women*, 0(0). <https://doi.org/10.1177/10778012231158103>

¹¹ Ibid.

Research from gender justice organisation Level Up in partnership with AAFDA (Advocacy After Fatal Domestic Abuse) documenting bereaved families' experiences of the press¹² found that:

- Most families want the press to report on their loved one's case, whether it be to raise awareness of domestic abuse or because they feel that their loved one deserves their story to be told. Yet it is the manner, and timing, of how this is done that can cause harm.
- Several families experienced intrusion into grief or shock in the reporting of their case, with almost two in three (60%) of families saying reporting negatively impacted their grieving process.
- 93% of families do not think rules on reporting fatal domestic abuse are strong enough.

For families who felt disrespected by journalists, victim-blaming was frequently cited as a reason. Some families had read news articles that described their loved ones as "murderable" and "a nightmare" and one respondent explained how media reporting of her mother's death had "prolonged and hindered the grieving process, causing anguish and heartache."

Some families also felt aggrieved by the fact that press reporting centred a perpetrator's experiences, which they felt allowed perpetrators to "play the victim", using the media to publish their narrative of events while the deceased victim was unable to respond. One respondent said: "Journalists need to be aware of the myths and incorrect stereotypes that they may unconsciously be propagating [and] the effect of their reporting, not only on the surviving family members, but how their writing can hinder progress on tackling domestic abuse nationwide."

Why a change in the Editors' Code is necessary

In 2018, Level Up set out to change the way fatal domestic abuse is reported in the press by launching the *Dignity for Dead Women* guidelines,¹³ which were published and endorsed by IPSO in 2019.

The guidelines are formulated around the four-part acronym AIDA:

1. **Accountability:** Avoid including speculative or spurious reasons or 'triggers' for the killing, as these remove the fatal incident from the full context and character of the relationship between victim and perpetrator.
2. **Images:** Use the photo provided by the victim's family or police. Don't use composite images of the victim placed next to the perpetrator.

¹² Level Up (2020) *How families bereaved by fatal domestic abuse have experienced the press*. <https://www.welevelup.org/wp-content/uploads/2023/03/Final-LU-AAFDA-families-report.pdf>

¹³ Level Up (2022) *Dignity for Dead Women: Media guidelines for reporting domestic abuse deaths*. <https://www.welevelup.org/wp-content/uploads/2022/06/Media-Guidelines-V2-1.pdf>

3. **Dignity:** Avoid sensationalising language, invasive or graphic details that compromise the dignity of the deceased woman or her surviving children and family members.
4. **Accuracy:** Legal proceedings permitting, name the crime as domestic abuse. Frame the death in the context of a pattern of controlling behaviour and, where possible, signpost to helplines for victims.

At the time, the Editors' Code was not changed on the basis that guidelines should be sufficient in this area of reporting, in part because very few complaints on reports of domestic homicide had been received by the IPSO standards team; however, this is likely to be because all potential complainants in cases of fatal domestic abuse are dead and only 13% of families say they understand the press complaints process.

However, intermittent reports on domestic homicides have shown that a reliance on voluntary uptake of the *Dignity for Dead Women* guidelines is an insufficient approach to maintain editorial standards in reporting such a pressing public health problem. For example, recent news reports on Clair Abelwhite and Emma Pattison's deaths in the early months of 2023 were met with public condemnation, with the respective headlines reading *Scorned man slit mum's throat in posh village after she ended fling over age gap* and *Did living in the shadow of his high achieving wife lead to unthinkable tragedy? Details emerge of the tensions behind the picture perfect lives of the Epsom College head and her husband who 'killed her and their daughter before turning the gun on himself'* generating widespread public outrage.

Whilst the media accepts it has a public health duty to prevent suicide, and the Editors' Code includes a clause on the reporting of suicide in recognition of the fact that sensitive reporting can prevent simulative acts, no such duty exists in relation to fatal domestic abuse. As is the case with suicide, sensitive reporting can inform and educate the public about fatal domestic abuse and the warning signs to look out for, highlighting that fatal domestic abuse is preventable and directing potential victims to sources of support. The media has demonstrated its capacity to do this in some cases, however this type of reporting is not consistent across all newsrooms.

Proposal

Changes to Clause 4

The above evidence makes clear that Clause 4 of the Editors' Code of Practice would benefit from a subclause that specifically addresses domestic abuse killings. The existing clause stands as follows:

Intrusion into grief or shock

In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. These provisions should not restrict the right to report legal proceedings.

Based on the above evidence, particularly the damage caused to victims' families, Level Up recommends the Editors' Code Committee introduce a subclause to the effect of:

In cases where a person has been killed by a partner or former partner, care should be taken not to use language which could frame the murder as an act of 'love', or which could be construed to blame the victim for their death.

Whilst some changes have been made to reporting practices since the introduction of the *Dignity for Dead Women* guidelines in 2018, it is evident that a voluntary approach is insufficient in enforcing media standards on this pressing public health issue.

Implementing the above recommended change to the Editors' Code would neatly put an end to the romanticised framing of fatal domestic abuse that has been proven to damage both the grieving process for victims' families as well as wider domestic abuse prevention efforts.

In 2015, legislation prohibiting 'coercive and controlling behaviour' was introduced in England and Wales, making Britain a global leader in recognising and legislating against coercive control. The Domestic Abuse Commissioner is now calling on IPSO to introduce world-leading media regulation when it comes to the reporting of fatal domestic abuse, which is the devastating, predictable and preventable end result of the most extreme cases of coercive control.