

IPSO – Review of the Editors’ Code

Dear Mr Benson and members of the code of practice committee,

Thank you for allowing members of the public to put forward their suggestions for the review of the Editors’ code.

I have decided to contribute to this review as a result of my deep conviction that it is my duty as the mother of a survivor of sexual assault. I feel that I need to do this for my daughter and for all those who in the future find themselves in a similar position to my daughter.

That I should advocate for those people that do not possess the emotional strength to fight for their story to be told accurately and with sensitivity due to the trauma they have experienced.

Whether or not I am successful, I stand here as an advocate for my daughter and all survivors who are brave enough to face their attacker in court. As my daughter has anonymity for life as a survivor, I would politely ask that my submission is kept anonymous for her sake.

I maintain that the code needs to be “fit for purpose” for today’s Society. That concern for the health and welfare of the survivor should be paramount. Their life has been affected in a way that will impact him or her for life. The physical scars heal in time, but the mental and emotional scars remain forever.

It is my intention to show that the Editors’ Code could be used for genuine good. It could promote valid reporting of sexual assault, whilst limiting the psychological trauma. It must convey the facts with sensitivity.

I note that IPSO has made significant progress in this direction. There is excellent signposting on the website to podcasts, guidance and support agencies. There is written guidance and 24-hour support to journalists to enable them to uphold freedom of speech, whilst maintaining a high standard of reporting. In addition, there is support for survivors, should they wish to speak to the press. These resources are excellent.

I wholeheartedly agree with providing a framework that editors can use to ensure standard of copy. However, within this area, there are some editors who fail to embrace the “in the full spirit” element and ignore guidance in order to “entertain”.

Clause 11 victims of Sexual Assault

The current code states that the published material cannot identify the victim unless it is legally free to do so.

As it stands, Code 11 simply covers what is legally binding. Whilst it is important to have a code that is simple and straightforward for journalists to follow and which maintains free expression of speech, this should not come at the expense of health and emotional welfare of victims.

To understand the greater implications of the written word in the press, one need to go no further than your excellent podcast on sexual assault, where Charlotte Urwin reports on her research around sexual assault, after conversations with survivors about representations of assault in the media.

She voiced their general feelings:

“Sensitive media reporting of other people’s experiences of sexual offences actually helped those survivors themselves to seek help, go to the police, to tell friends and family what has happened to them.”

So, it is evident that sensitive media reporting helps survivors have the courage to talk about their experience and possibly report it to the police.

Freedom of speech

Freedom of speech is a human right. However, this does need to be carefully considered in this context. In a democracy, with any freedom, there are responsibilities.

As the Universal Declaration on Human Rights states:

Human Rights Act Article 10: Freedom of Expression

Protects the right to express your own opinions and to express them freely without government intervention.

But there is a caveat:

“It carries with it duties and responsibilities”

“Restrictions and / or penalties are prescribed by Law and are necessary in democratic society in the interests of national security, territorial disorder, crime, protection of health or morals, for the protection of rights of others.

It clearly implies that “*protection of health*” should be a stronger consideration than freedom of speech. Journalists may take a different view. However, with the right modification to the clause 11 and guidance, I truly believe both are possible.

Below are the sad statistics regarding rape and sexual assault. They demonstrate why there is a need for media support of survivors.

- 1 in 3 women will experience sexual violence in their lifetime
- 20% of women will experience sexual assault (sexual violence statistics UK)

There is limited data on sexual assault that is not rape. However, understanding of the data on rape provides useful perspective:

- 2022 saw the highest number of rape cases ever recorded (70,633)
- 2022 (1%) of rape cases resulted in a charge in the 12 months following the assault
- Less than 1% of rape cases end in conviction (City Press Office 2022)

“Retelling the details of the rape to the police and courts and being questioned about them can be traumatising. Victims are rarely able to move on while the case is ongoing (City Press Office 2022)

Rape Crisis Data:

- 5 out of 6 women rape survivors do NOT report rape:
- 40% due to embarrassment
- 38% did not think the police could help
- 34% thought it would be humiliating
- 5000 women in the UK have been raped / assaulted since the age of 16*

*three of those are members of my immediate family

Rape Crisis states that the consequences of this trauma can be:

Anxiety, PTSD, flashbacks, nightmares, as well as impacting significantly on relationships of all kinds: school, work, social life and sleep.

“How someone is impacted by sexual violence or abuse is never their fault. 100% of the blame and responsibility lies with the perpetrator or perpetrators. RAPE CRISIS

Other important points that IPSO and the British Press should consider:

If a survivor wishes to pursue justice through the Courts, current police guidance is to recommend that they do not talk about the assault with a therapist, as this can be argued as “coaching” by the defence team and could thus jeopardise the court case.

The psychological and physical impact of an assault can last a lifetime. I see this time and time again. For unexplained symptoms, I now ask about previous trauma. The work of Gabor Mate and Bessel Van der Kolk highlights how psychological stress impacts on the physical body. In addition, there is evidence that the trauma is held in the cells of the victims and passed to the next generation, as Martha Henriques highlighted. In her 2019 article for the BBC

“Can the legacy of trauma be passed down the generations?”, 2019, Martha Henriques cites recent research on this subject:

“Our children and grandchildren are shaped by the genes they inherit from us, but new research is revealing that experiences of hardship or violence can leave their mark too.”

So the assault can have a detrimental effect on the health of the victim, as well as on that of generations to come. Research shows that holding on to the shame and not telling people about a personal trauma is also seen to have negative consequences for health. For example, the rates of fibromyalgia among trauma victims is significantly higher than the general population. A study of fibromyalgia patients showed that 57% had had childhood trauma, (Gunduz, N. et.al.(2014)

Good practice

The journalist of the world and educator, Walter Williams in “A creed for my profession”:

- “I believe that clear thinking and clear statement, accuracy and fairness are fundamental to good journalism.
- I believe that a journalist should write only what he holds in his heart to be true. I believe that the suppression of the news, for any consideration other than the welfare of society, is indefensible.

In more recent times, OUR WATCH - an independent organisation promotes good practice in the media coverage. It was established to be a driving force in “the primary prevention of violence against women and their children in Australia.”

They have written eight tips for reporting violence against women.

I have included these as they encapsulate how I envision good media coverage of sexual assault:

Eight tips for reporting violence against women.

1. Safety First

Leave out details that might identify survivors

2. Name It

Name the violence for what it is: “family violence, rape, coercive control”

3. Keep the perpetrator in view

Use ACTIVE language e.g. “Man assaults woman”, instead of “woman assaulted”

When legally possible, name the relationship between victim and perpetrator to remind your audience that most violence against women is perpetrated by someone they know.

4. Be Respectful

Use respectful language and headlines to articulate the seriousness of the violence. Seek to uphold the dignity of the victims, survivors and families. Plan how to maintain respect once the story is live, including on social media.

5. Reflect the Evidence

Use statistics to demonstrate the prevalence, and contextualise the story. Evidence shows that most violence against women and their children is driven by gender inequality.

6. Use appropriate imagery

Don't perpetuate harmful stereotypes about gender, race, disability, sexuality or age.

Consider the impact of images on the victim-survivor, family or on the other survivors of violence. Avoid images that disempower or infantilise victim-survivors, such as “clenched fist” or “cowering woman”.

7. Quote experts

Develop good relationships with experts on the issue of violence against women, so that they can be contacted to put the issue into context

8. Include support options

Always include support details at the end of every story.

(There is also a YOUTube video “how to report on violence against women and children in Victoria.

I hope I have made the case for reviewing and modifying clause 11

In the words of the world-renowned memoirist, poet and civil activist, Maya Angelou:

“Do the best you can until you know better. Then when you know better, do better.”

Thank you for taking the time to read and consider my thoughts and suggestions re clause 11 of the Editors' Code. Should you have any queries about the above or wish to get in contact please do not hesitate to do so.

Kind regards,

Name withheld by request