Muslim Council of Britain response to Editors’ Code of Practice Committee consultation on revisions to the Editors’ Code of Practice

1. Introduction

1.1. The Muslim Council of Britain (MCB), founded in 1997, is an inclusive umbrella body of affiliates made up of hundreds of mosques, educational and charitable bodies, cultural and relief agencies and women and youth groups across the UK. The affiliate base reflects the diversity of Muslims in the UK being from a range of ethnic, geographical and theological backgrounds and traditions. It is pledged to work for the common good of society as a whole.

1.2. The media plays an integral role in our democracy, not only informing the public and reporting news, but also speaking truth to power and holding institutions and government accountable. We agree and uphold the principle that freedom of the press is an important cornerstone of our democracy.

1.3. Almost all the national mainstream press have agreed that they should abide by the highest professional standards and journalism ethics balancing freedom of expression – such as the right to inform, to be partisan, to challenge, shock, be satirical and to entertain – with the rights of the public, not only to the letter but also in spirit.1

1.4. The Muslim Council of Britain’s Assistant Secretary General, Miqad Versi, has made a large number of complaints to IPSO specifically related to the reporting of Islam and Muslims in national newspapers, with over 20 corrections made over the past year. His goal has been to encourage responsible reporting on Islam and Muslims in the media2. According to the editor of the Press Gazette, “Newspaper stories misrepresenting Islam would not be tolerated if they were about Judaism” and that the “regulator IPSO needs to step in.”3

1.5. This response reflects insights drawn from significant experience in engaging with the Editor’s Code and with Managing Editors on the reporting of Islam and Muslims, although many of the insights are applicable for the reporting of other minority communities. The response is split into 2 main sections:

- Section 2: Importance of responsible reporting
- Section 3: Specific recommendations for changes to the Editors’ Code

This will be followed by an Appendix with 2 parts:

- Examples of poor reporting about Islam and Muslims
- List of recommendations for ease of reference

2. Importance of responsible reporting

2.1. The purpose of this section is to briefly articulate the consequences of irresponsible reporting on Muslim communities. This issue is increasingly important following two incidents in December 2016: an individual shouted “I am going to kill a Muslim” before stabbing a Muslim man multiple times at Forest Hill station in London;4 and a Muslim woman was shoved to ground and dragged along pavement in “sickening” attack in a busy street in London.5

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1 Editor’s Code of Practice, Independent Press Standards Organisation
2 The UK media too often misrepresents Muslims – with dangerous results, Guardian, January 2017
3 Newspaper stories misrepresenting Islam would not be tolerated if they were about Judaism, regulator IPSO needs to step in, Press Gazette, January 2017
4 Man shouted ‘I am going to kill a Muslim’, says wife of Forest Hill victim, Guardian, December 2016
5 Muslim woman shoved to ground and dragged along pavement in ‘sickening’ attack in busy street, Evening Standard, December 2016
2.2. Claiming that the media has played no role in the growth in Islamophobia and increased hatred towards Muslims is no longer a tenable position given the wealth of academic evidence on the issue, and the lack of any evidence to the contrary:
   - Research by the University of Cambridge concluded that mainstream media reporting about Muslims is contributing to an atmosphere of rising hostility toward Muslims in Britain.6
   - Research by the University of Leicester suggested that “Politicians and media fuel hate crime in Britain.”
   - Findings of an Islamophobia Roundtable in Stockholm showing that the regular association of Islam and Muslims with crime and terror in the media and on the internet is vital to the spread of Islamophobic rhetoric.8

3. Recommendations for changes to the Editors’ Code

3.1. The Appendix lists a number of examples of poor reporting, demonstrating that the Independent Press Standards Organisation (IPSO) has failed to deter inaccurate and distorted reporting on Muslims and Islam in the media. It is not the case that all the examples are code breaches (though many are) yet taken together, they indicate a worrying trend in the way that Muslims are being reported. Potential reasons, other than the inadequacy of the Code (for which see below) include the lack of appropriate deterrents due to weak sanctions, the unwillingness and failure of IPSO to investigate standards breaches and the lack of independence of IPSO. This is most recently demonstrated by IPSO retaining the Sun’s Trevor Kavanagh on its Board despite him not only breaching the Code himself, but attacking a complainant (which is victimisation and thus contrary to the basic tenets of a complaints body like IPSO). The example about Trevor Kavanagh under bullet point 3.3.3 below is worth noting given this background.

3.2. This section will however focus on constructive improvements that can be made to specific clauses in the Editors’ Code to help create a more effective self-regulatory regime which can prevent inaccuracies such as those in the Appendix.

3.3. Clause 1 (Accuracy):

3.3.1. **Headlines:** Newspapers often attract readers to specific stories through powerful and sensationalist headlines, particularly within tabloid newspapers. Such forms of journalism are part and parcel of how newspapers work. In addition, headlines cannot always incorporate the entire story and often have to be abridged – this is a reality for any news publisher. For this reason the Editors’ Code book makes clear that there is some latitude for headlines in relation to accuracy and that they should not be considered in isolation. Although that is reasonable, it must not be taken too far.

   Headlines, however, shape a story and often change the way the reader thinks9 and therefore may mislead the reader when read in isolation as they often are.

   Despite an apparently misleading headline, one way in which the overall piece would not considered to be misleading would be if sub-headlines (in bullet points, for example) or the opening paragraph made the position clear. In addition, the Code already requires any claim in the headline to be supported by the text of the article.

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6 University of Cambridge and Economic and Social Research Council Roundtable held at the House of Lords
7 ‘Politicians and media fuel hate crime in Britain,’ say University of Leicester experts, University of Leicester, June 2016
9 How headlines change the way we think, The New Yorker, December 2014
The reality of the world we live in, however, makes even these methods insufficient to meet the requirements of accuracy and of preventing the reader being misled. For example, on social media, which plays an increasingly important role in the consumption of news, uncontextualized and misleading headlines are often shared without the rest of the article.

Consider the following highly misleading headlines for example:

- Melbourne ‘attacker’ NAMED as ‘Islamic’ who ‘knows how to take you dogs down’ (Daily Express). This was actually a Greek Australian, not a Muslim and the headline took one word from his extensive social media postings out of context.
- “Nativity scene is 'banned' in case it offends one of the FOUR Muslims living in a Belgian town” (Daily Mail). In fact there was no ban, and no evidence to support the claim that the lack of a nativity scene was due to a fear of offending Muslims.

**Recommendation 1:** Wherever the Press chooses to publish a headline in isolation e.g. on its front page or social media, care should be taken to ensure that such a headline, when read alone, is not inaccurate or misleading.

This could be done through the use of appropriate caveats, identifying the source or making clear that it is conjecture and not fact.

3.3.2. **Breaking news:** As the Editors’ Codebook notes, “when you are writing the ‘first draft of history’ it can be difficult to see clearly through the fog of breaking news. But that is no excuse for reckless or sloppy journalism”.

Unfortunately, when it comes to reporting breaking news stories, there are often a number of unverifiable claims that are reported by mainstream media organisations as each aims to be the first to “break” a specific story, sometimes without the appropriate due diligence.

In a number of cases, this has led to inaccurate stories that have later been corrected. For example:

- Gunman "screaming Allahu Akbar" opens fire in Spanish supermarket while "carrying bag filled with petrol and gunpowder" (The Sun) – similar false stories in the Mail and Express.
- "TERROR ATTACK ON MUSLIMS: Six dead as gunmen "shout Allahu Akbar" in Sunday prayer attack (Daily Express) – similar false story in the Sun.

Such inaccurate stories, when breaking, are often shared most widely, in particular when they fit a pre-set narrative on the subject. This is particularly the case with changing headlines and headlines shared on social media.

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10. Social media ‘outstrips TV’ as news source for young people, BBC, June 2016
13. The Editors’ Codebook: the handbook to the Editors’ Code of Practice, p. 12, December 2016
There are two important requirements in such situations: firstly, inaccuracies must be fully corrected; and secondly, the inaccuracies must be acknowledged with equal prominence rather than merely deleted or with a small note at the very foot of the amended article – otherwise, the reader will have been misled.

The importance of social media should not be understated, for breaking news stories in particular. With thousands of shares of inaccurate news, it is imperative that swift steps are taken to ensure appropriate remedy – the deletion of a tweet, for example, would ensure that the "re-tweets" and "quotes" are no longer visible to the audience. There is also the need for the correction to be tweeted in the same way as the original error.

Currently, neither of these requirements are adhered to within parts of the Press:

- **Correction of inaccuracies**: For example, often in a breaking news story, a tweet may be published containing what later turns out to be false information. Those tweets are often not deleted.

- **Acknowledgement of inaccuracies**: News organisations use different methods in reporting breaking news. Some of them update the story on a rolling basis without acknowledging changes. Others publish the original story more accurately as a fresh page (but retain the false story at the original link by claiming that it was “accurate” at the time of publication) and often do not even acknowledge the initial inaccuracy.

The Code Committee should therefore consider the following additions for breaking news stories, although noting the recommendations are applicable more widely:

**Recommendation 2**: Any material changes to an online news story should be referenced at the top of an article e.g. We previously reported XXX. This was incorrect. It is actually YYY.

The requirement for such a clarification for inaccuracies on breaking news stories may provide additional incentive for appropriate due diligence prior to sharing uncorroborated claims.

**Recommendation 3**: All false stories should be removed with an acknowledgement of the removal. This includes stories published on social media.

In relation to the publication of corrections on social media, consider the following false headlines shared by the far right:

- “Gunman screaming ‘Allahu Akbar’ opens fire in Spanish supermarket” (Daily Mail), shared by Tommy Robinson

- “Enclaves of Islam in Britain see UK as 75% Muslim” (Sunday Times) shared by the English Defence League and Britain First

**Recommendation 4**: Corrections and apologies for false reporting, even if not intentional, should be published on all media on which they were initially reported, including social media i.e. corrections should also be published on Twitter if the original story was published on Twitter.

16 [https://twitter.com/TRobinsonNewEra/status/8192566319801995]
17 [https://twitter.com/EDofficialpage/status/805332303065050680]
18 [https://twitter.com/BritainFirst/status/80584353021886464]
3.3.3. **Significance:** Currently under the Code, only a “**significant**” inaccuracy, misleading statement or distortion must be corrected”. The determination as to what constitutes significant is very subjective, and it is unclear why there should be any objection to the request that any inaccuracy should be corrected when pointed out. If it is significant enough to have been complained about then it should be corrected.

Four examples that can illustrate how subjective the term “significant” is, are:

- The inaccurate claim by Trevor Kavanagh that “Dame Louise identified Muslim suburbs where...wife-beating and marital rape are standard” in his column (The Sun). Dame Louise Casey did not make such a claim in the report yet once again IPSO’s Complaints Committee determined that “the columnist’s paraphrasing of the findings was not significant” (as the article was about Saudi Arabia) and the Executive in response to my appeal, agreed with the Committee’s ruling and "noted that the article was an opinion piece, and was clearly signalled as such".

- The inaccurate headline “WHIRWIND OF HATE’ Jewish students attacked by pro-Muslim Palestine baying mob ON UK SOIL” (Daily Express). There was no justification for “pro-Muslim” in this headline and there is little doubt as to its inaccuracy. However, IPSO quite outrageously ruled that this inaccuracy did not give a “significantly misleading impression of events”. As a result, there was no correction.

- The inaccurate headline “Schoolboy put on anti-terrorist scheme for saying Muslims shouldn’t be allowed to wear burka” (Daily Express). One of the inaccuracies about this article was the conflation of burka with niqab (the term actually used by the police) yet outrageously IPSO ruled “the discrepancy between a niqab and a burka was not significant”.

- The inaccurate claim about a mosque by Ms Katie Hopkins that “A British Imam was hosted by a mosque in Orlando, just days before the attack, saying that death is the answer to the problem of homosexuality, facilitating the spread of hate” (Daily Mail). As has been accepted by all parties, this mosque did not host this individual just days before the attack at the gay nightclub, nor did such a statement get made at the mosque. Yet again outrageously IPSO’s Committee did not “consider that the inaccuracy in relation to the date of the Imam’s visit to Orlando was significant: the timing of the speech at the mosque was not central to any of the arguments made in the article”.

In all four of these cases, the inaccuracy was clear and unambiguous. In terms of the effect these inaccuracies had on the views towards Muslims of some readers it was significant. Whether or not it was deemed significant, given the concern has been raised on the issue, requiring a correction be made on the record at least does not seem to be hugely burdensome on the publications. This problem can be solved by a simple Code amendment.

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20 https://www.thesun.co.uk/news/2377262/boris-johnson-was-right-to-slam-saudi-abuses-but-we-need-their-oil-so-will-have-to-hold-our-noses-and-deal-with-them/
22 http://www.express.co.uk/news/uk/750347/Schoolboy-anti-terror-burka-Muslim-women-West-Yorkshire-Channel-Prevent
Recommendation 5: All inaccuracies which have been the subject of complaint should be corrected. Any value judgement about “significance” can be dealt with under the need for equivalent prominence.

Furthermore, in the third example, the requirement of the inaccuracy to be “central” to the argument being made in the piece seems to be an additional criterion in the determination of “significant” apparently invented by IPSO’s Complaints Committee. Whilst we believe there is no need for a new test of “centrality” in relation to determining significance (and significance is too high a threshold), if this is really a requirement of the Code, it should be made clear in the Code.

Recommendation 6: Greater detail should be provided as to what constitutes “significant” in a complaint about inaccuracy.

Recommendation 7: All inaccuracies in headlines should be considered “significant”. If it was considered important enough to be in a headline then it is clearly significant and central.

3.3.4. Due prominence: the Code currently requires corrections to be (in clause 1, and adjudications elsewhere in the Code) to be made with “due prominence”. Over and above setting the record straight, the purpose of any correction must be to mitigate the impact of the original inaccuracy by ensuring, as far as is reasonably possible, that those who saw the initial inaccuracy, see the correction.

With that in mind, equal or equivalent prominence seems to reflect that goal more accurately, in particular:

- **Size of the correction**: If there is an inaccuracy on a headline, the headline of the correction should be equally large;
- **Page of the correction**: If there is an inaccuracy on page 2, the correction should be on page 2;
- **Author of the correction**: If there is an inaccuracy within an individual journalist’s column, the correction should be within that column so their readers will see the correction (even if that is “further back” in the paper than where the corrections column is);
- **Medium of the correction**: As outlined above if the inaccuracy was published on social media, the correction should also be on social media; and
- **Equal prominence of online corrections**: Currently the IPSO requirement is that corrections be published only on the “home page” of a newspaper website and they are invariably to be found more than 40 screen scrolls down.

Recommendation 8: Any correction (or right to reply) should have equal prominence to the original inaccuracy. This should include the same prominence on the home page as the original story, and the equivalent publication on social media, with the placement in the same position as the original story for regular features such as columns.

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23 For example, consider how the correction to a piece by Trevor Kavanagh of the Sun was on the home page 66 page downs from the top (see [here](#)).
3.4. Clause 12 (Discrimination)

3.4.1. Discrimination against groups: Currently, the Press is not allowed to discriminate against an individual but is allowed to do so against a group, with one exception that will be covered in section 3.4.2 below.

It is of course right and proper that the “Code attempts to balance the freedom of the individual with the right to freedom of expression”\(^{24}\) and that any serious restrictions on freedom of expression should be very carefully thought through.

However, it is quite extraordinary that under the Code as it currently stands, an article may breach the Public Order Act against incitement to racial or religious hatred but may still not be in breach of the Editors’ Code.

Lord Leveson’s recommendation\(^{25}\) that groups with protected characteristics should be covered by anti-discrimination provisions within the Code, should not be particularly controversial.

**Recommendation 9**: A new provision should be added to the Code prohibiting the incitement to hatred against any group with protected characteristics.

Furthermore, given the purpose of the Code is to encourage the highest standards within the media, safeguards should exist that have lower thresholds than staying within the criminal law.

A restriction on “levelling abuse at vulnerable people" would be preferable so as to prevent columnists using newspapers as a loudspeaker to abuse any vulnerable group without a public interest justification. To safeguard freedom of speech it should be noted that:

- The term “levelling of abuse” is higher than the terms “prejudicial and pejorative language” already protecting individuals in clause 12;
- The term “levelling abuse” would obviously not cover situations where the abuse was not intentional (if such circumstances exist);
- Mere insult would still be permitted;
- It would not cover occasions where offence is taken by a group without an objective judgement being needed that abuse had been levelled;
- Guidance should be provided to clarify that critique of a faith (in terms of tenets, beliefs or practices) is materially different from abuse of its adherents;
- Exceptions could be made if a public interest justification could be made out (for example attacking a group of people who while part of a vulnerable group had committed criminal offences worthy of opprobrium, or held views which were inconsistent with democratic values.

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\(^{24}\) Editors’ Code of Practice Committee, FAQs, Question 6

\(^{25}\) Recommendation 38 from Lord Leveson’s report
Recommendation 10: A new provision should be added to the Code prohibiting the levelling of abuse against any vulnerable group unless it can be justified in the public interest.

Threshold for representative group complaints on discrimination: Currently, a representative group appears to be allowed to make a complaint, for example on the inclusion of a protected characteristic when not genuinely relevant to a story in relation to an individual. However even this has not been respected by IPSO. In the case of the article by Rod Liddle about Emily Brothers26, Trans Media Watch were required to obtain the consent of Emily Brothers at every step which meant that they were her agents not a group with standing to make a complaint themselves even when the breach was objectively apparent.

However, there is an additional very high threshold for a representative group making such complaints: “there is a substantial public interest in the Regulator considering the complaint from a representative group affected by the alleged breach”.

It is unclear why such a high threshold of “substantial public interest” is required even when a significant breach of the Code has been established. It was not part of Lord Leveson’s recommendations. Consider the irrelevant use of the term Muslim in the following examples from the Daily Mail:

- “‘Millionaire’ Muslim woman who claimed she was a single mum so she could live in public housing now wants LEGAL AID to appeal her sentence - as she leaves court clutching a Coach designer handbag” (Daily Mail)27
- “Muslim taxi driver, 45, accused of sexually assaulting a female passenger 'several times' and stopping her from leaving the cab” (Daily Mail)28
- “Both Muslim women showed no emotion as they were jailed - the mother for two-and-half years and her friend for four years - by a judge who criticised their 'deliberate scapegoating' of the boy.” (Daily Mail)29

By definition, any breach of the code is in the public interest to identify and report, and it is unnecessary to prevent complaints being made by creating the additional subjective hurdle of “substantial”. In most cases, such as the above, the individual is in no position to make a complaint themselves and creating a hurdle for complaints to be made on their behalf exploits their vulnerability.

Recommendation 11: A representative group should be allowed to make a complaint on the grounds of discrimination against an individual without requiring to prove there is substantial public interest in the complaint being considered, and without having to secure the explicit consent of the individual.

26 IPSO finds against The Sun on discriminatory Rod Liddle column
29 http://www.dailymail.co.uk/news/article-3703204/Mother-friend-jailed-SELLOTAPING-five-year-old-son-naked-cupboard-went-seaside-older-sisters.html
Appendix 1 – Examples of poor reporting about Islam and Muslims

1. Reporting of Muslims in the national press within the past year shows how an environment of hate and hostility is created. It is recognised that not all of these examples can or perhaps even should be regulated against, but together they demonstrate a serious concern given the evidence demonstrated in section 2 above.

2. Examples of **outright misleading articles** that newspapers themselves have corrected or been forced to correct, given the significance of the inaccuracies involved, include:
   - “1 in 5 Brit Muslims’ sympathy for jihadis” (*The Sun*);[31]
   - “Ramadan train driver in crash: Rail accident experts claimed his fast caused the rush-hour derailment that led to three days of disruption” (*The Sun*);[32]
   - “Isolated British Muslims are so cut off from the rest of society that they see the UK as 75 per cent Islamic, shock report reveals” (*Mail on Sunday*);[33]
   - “Islamist school can segregate boys and girls” (*The Sunday Times*);[34]
   - “Welcome to east London: Muslim gang slashes tyres of immigration-raid van before officers showered with eggs from high rise” (*Mail on Sunday*);[35] and
   - “UK mosques fundraising for terror” (*Daily Star Sunday*).[36]

   Starred items have been corrected by newspapers following complaints made by Assistant Secretary General of the Muslim Council of Britain.

3. Parts of the press often **conflate Muslims with criminality and violence**. For example:
   - “Cut out and keep guide: Here’s what terrorists look like” (*The Sun*);[37]
   - “Muslim sex grooming” (*The Times*);[38]
   - “Mum-of-four butchered while caring for her young kids as cops probe Islamic honour killing lead” (*Mail Online*);[39] and
   - “Imam beaten to death in sex grooming town” (*The Times*).[40]

4. **Sensationalism and scaremongering** about the apparent threat posed by Muslims is also widespread. Just look at headlines such as:
   - “New £5 notes could be BANNED by religious groups as Bank CAN’T promise they’re Halal” (*Daily Express*);[41]
   - “BBC puts Muslims before you” (*Daily Star*);
   - “Halal secret of Pizza Express” (*The Sun*); and
   - “Muslim vote could decide 25 per cent of seats” (*Daily Mail*).

   It is little wonder that according to reports, the British population believe that the current British Muslim population is 15%, over three times the reality and that more than half of Britons now regard Muslims as a threat to the UK.[43]

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30 Article in *Independent* has further details
31 Sun forced to admit ‘1 in 5 British Muslims’ story was ‘significantly misleading’, Independent, March 2016
32 No, Train Driver didn’t crash because of Ramadan Fast. UK Sun Unpublishes, iMediaEthics, November 2016
33 Mail retracts claim “Brit Muslims think 75% of UK is Islamic”, so why do Times and Sun stand by it?, Political Scrapbook, December 2016
34 Islamist school can segregate boys and girls, Sunday Times (print and online), November 2016
35 Mail on Sunday apologises for ‘Muslim gangs’ attack immigration van story, Guardian, September 2015
36 Daily Star Sunday censured over misleading headline on UK mosques, Guardian, April 2016
37 See Appendix for an image or here: after discussion, the Sun decided to take no action and refused to even acknowledge the concern. The matter is now with the press regulator Ipso
38 Muslim Council of Britain writes to The Times following Incendiary Headline, Muslim Council of Britain, March 2016
39 Mail Online breached Editors’ Code with inaccurate ‘Islamic honour killing’ headline, Press Gazette, July 2016
40 Rochdale police chief ‘appalled’ by Times ‘sex grooming town’ report after imam’s murder, Guardian, February 2016
41 New £5 notes could be BANNED by religious groups as Bank CAN’T promise they’re Halal, Daily Express, December 2016
42 Europeans greatly overestimate Muslim population, poll shows, Guardian, December 2016
43 7/7 Bombings Anniversary Poll Shows More Than Half Of Britons See Muslims As A Threat, Huffington Post, July 2015
Appendix 2 – list of recommendations

1. Wherever the Press chooses to publish a headline in isolation e.g. on its front page or social media, care should be taken to ensure that such a headline, when read alone, is not inaccurate or misleading.

2. Any material changes to an online news story should be referenced at the top of an article e.g. We previously reported XXX. This was incorrect. It is actually YYY.

3. All false stories should be removed with an acknowledgement of the removal. This includes stories published on social media.

4. Corrections and apologies for false reporting, even if not intentional, should be published on all media on which they were initially reported, including social media i.e. corrections should also be published on Twitter if the original story was published on Twitter.

5. All inaccuracies which have been the subject of complaint should be corrected. Any value judgement about “significance” can be dealt with under the need for equivalent prominence.

6. Greater detail should be provided as to what constitutes “significant” in a complaint about inaccuracy.

7. All inaccuracies in headlines should be considered “significant”. If it was considered important enough to be in a headline then it is clearly significant and central.

8. Any correction (or right to reply) should have equal prominence to the original inaccuracy. This should include the same prominence on the home page as the original story, and the equivalent publication on social media, with the placement in the same position as the original story for regular features such as columns.

9. A new provision should be added to the Code prohibiting the incitement to hatred against any group with protected characteristics.

10. A new provision should be added to the Code prohibiting the levelling of abuse against any vulnerable group unless it can be justified in the public interest.

11. A representative group should be allowed to make a complaint on the grounds of discrimination against an individual without requiring to prove there is substantial public interest in the complaint being considered, and without having to secure the explicit consent of the individual.