

The Editors' Code of Practice – review consultation

Submission by Forum on Integration, Democracy and Extremism (FIDE), a project of the Institute for the Study of Civil Society (Civitas)

Civitas is an independent social policy think tank that strives to benefit public debate through research, reasoned argument, lucid explanation and open discussion. Emma Webb is director of FIDE, a project researching extremism within the context of issues relating to integration, social cohesion, democracy and freedom of expression.

This submission wishes to draw attention to the safeguarding of press freedom in relation to reporting on religion or religious groups, with particular reference to the All-Party Parliamentary Group's definition of Islamophobia. The below is of relevance primarily to articles 1 (accuracy) and 12 (discrimination) of the Editors' Code.

Major research publications at Civitas have previously expressed concerns about the effects of the Islamophobia definition on press freedom, which can be found in evidence submitted to the Home Affairs Select Committee (HASC) on Islamophobia (submitted January 2019)¹ and in a letter addressed to the Home Secretary.² The latter states:

'This vague and expansive definition is being taken on without an adequate scrutiny or proper consideration of its negative consequences for freedom of expression, and academic and journalistic freedom. The definition will also undermine social cohesion – fuelling the very bigotry against Muslims which it is designed to prevent. We are concerned that allegations of Islamophobia will be, indeed already are being, used to effectively shield Islamic beliefs and even extremists from criticism, and that formalising this definition will result in it being employed effectively as something of a backdoor blasphemy law'

As I highlighted in the submission to the HASC, the accusation of Islamophobia has been used against journalists doing unobjectionable and necessary investigative reporting on subjects relating to Islamist extremist activity and child sexual exploitation, including Andrew Gilligan, Andrew Norfolk, and Dominic Kennedy.³

It is well-known that the fear of being accused of Islamophobia and racism has resulted in a dereliction of duty, safeguarding failures,⁴ and prevented the reporting and speedy resolution of matters of serious public concern. For example, in April 2015, the *Daily Telegraph* reported that corrupt Tower Hamlets Mayor, Lutfur Rahman, reportedly silenced critics with "accusations of racism and Islamophobia",⁵ while according to Ian Kershaw's report into the Trojan Horse affair,

¹ Civitas: Institute for the Study of Civil Society -written evidence, Home Affairs Select Committee, published 7 May 2019, available at:

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/islamophobia/written/95568.pdf>.

² This letter was signed by a number of other organisations, religious groups, activists and academics; 'Open Letter: APPG Islamophobia Definition Threatens Civil Liberties', available at:

<http://www.civitas.org.uk/content/files/islamophobiaopenletter.pdf>.

³ E.g. this accusation was used against former *Sunday Times* journalist Andrew Gilligan during a House of Lords debate on the Islamophobia definition on 20 December 2018.

⁴ 'Fear of being called racist stops people reporting child sexual exploitation concerns, Labour front bencher claims', *Daily Telegraph*, 10 August 2017, available at: <https://www.telegraph.co.uk/news/2017/08/10/fear-called-racist-stops-people-reporting-child-sexual-exploitation/>.

⁵ 'Tower Hamlets Mayor Lutfur Rahman is sacked for "corrupt practices"', *Daily Telegraph*, 23 April 2015, available at: <https://www.telegraph.co.uk/news/uknews/crime/11559926/Muslim-mayor-is-sacked-for-corrupt-practices.html>; this evidence is also cited in 'Eroding the Free Press: IPSO's Guidance for Reporting on Islam

Birmingham City Council were reticent for the same reasons to address problems with school governance.⁶

Such fears may also affect journalistic reporting, editorial decisions about which stories to run and the information they contain. The profession provides a vital public service and frequently exposes injustices, human rights abuses, and public sector failures – especially in circumstances where revelations are sensitive or not politically expedient. Protection of this must be a priority in any future changes to the Editor’s Code or guidelines.

These concerns were best outlined in a 2019 report by the think tank Policy Exchange, in relation to the Independent Press Standards Organisation (IPSO) Guidance for Reporting on Islam and Muslims:⁷ ‘Newspaper editors and journalists are clear that such a change – giving activists more power to complain “on behalf” of others – would make their jobs almost impossible; it would mark the effective end of a free press as hitherto constituted in the UK’.⁸

The details need not be reiterated here, though it was clear that the guidance could easily lead to the avoidance of reporting on certain stories and have a chilling effect on the free press.⁹ This was evident in the stories detailed by Policy Exchange that had been found objectionable by the Centre for Media Monitoring (CfMM) and its executive director Miqdaad Versi, particularly in relation to Clause 1 (accuracy) and Clause 12 (discrimination).¹⁰ As Policy Exchange noted, these stories were interpreted as ‘anti-Muslim’ in ‘the broadest possible fashion’, including:¹¹

- An ITV documentary on the Silk Road in which actress Joanna Lumley, commenting Kyrgyzstan, says: “this is a mainly Muslim country, but its communist legacy gives it a much less strict Islamic feel.”¹²
- A description of Iran as a “state sponsor of terrorism” was deemed ‘anti-Muslim bias’.¹³
- A piece by Qanta Ahmed, a Muslim herself, challenging the ‘doctrinal and jurisprudential basis of the niqab’.¹⁴

The evidence presented by Policy Exchange further evidences concerns that sensitivities surrounding ‘Islamophobia’ in relation to reporting on Muslims and Islam could undermine the free press in the United Kingdom.

Recommendation: Protection of press freedom in relation to sensitive topics such as Islamist extremism, religious practices and beliefs, child sexual exploitation and related matters must be a priority in any changes to the Editors’ Code. Articles 1 and 12 must relate only to individuals and not to groups, beliefs or ideas.

and Muslims’, Policy Exchange, 5 September 2019, available at: <https://policyexchange.org.uk/wp-content/uploads/2019/09/Eroding-the-free-press.pdf>, p. 12.

⁶ Investigation Report, Trojan Horse Letter: Report of Ian Kershaw of Northern Education for Birmingham City Council, 14 July 2014, available at:

https://www.birmingham.gov.uk/downloads/file/1579/investigation_report_trojan_horse_%20%20letter_the_kershaw_report, p. 12; this evidence is also cited in ‘Eroding the Free Press: IPSO’s Guidance for Reporting on Islam and Muslims’, Policy Exchange, 5 September 2019, available at: <https://policyexchange.org.uk/wp-content/uploads/2019/09/Eroding-the-free-press.pdf>, p. 12.

⁷ ‘Eroding the Free Press: IPSO’s Guidance for Reporting on Islam and Muslims’, Policy Exchange, 5 September 2019, available at: <https://policyexchange.org.uk/wp-content/uploads/2019/09/Eroding-the-free-press.pdf>.

⁸ Ibid.

⁹ Ibid. p. 5.

¹⁰ Ibid. p. 16.

¹¹ Ibid. p. 19.

¹² Ibid. p. 19.

¹³ Ibid. p. 19.

¹⁴ Ibid. p. 20.

March 2020