

SUBMISSIONS ON BEHALF OF JOINT COUNCIL FOR THE WELFARE OF IMMIGRANTS – THE LEVESON ENQUIRY

Joint Council for the Welfare of Immigrants (“JCWI”) is an independent, voluntary organisation working in the field of immigration, asylum, nationality law and policy. Established in 1967, JCWI provides legally aided immigration advice to migrants, and actively lobbies and campaigns for changes in immigration and asylum law and practice. Its mission is to promote the welfare of migrants within a human rights framework.

1. Media coverage of asylum seekers and immigrants

There is abundant evidence of negative coverage in relation to asylum seekers and immigrants in certain sections of the media.¹ Within those sections of the media, migrants and asylum seekers are frequently associated with crime, disease, terrorism, rape, murder and economic problems.²

The above tendency has been observed by official bodies. The most recent report on the UK by the Council of Europe’s Commission on Racism and Intolerance³ states:

“[ECRI] notes with concern that muslims, migrants and asylum seekers Gypsies/Travellers are regularly presented in a negative light in the mainstream media, and in particular the tabloid press, where they are frequently portrayed, for example, as being by definition associated with terrorism, sponging of British society, making bogus claims for protection or being troublemakers. ECRI is concerned...[about] the racist and xenophobic messages themselves that are thus propagated in the media...”

¹ *The Treatment of Asylum Seekers - Tenth Report of Session 2006–07.*

House of Lords and House of Commons Joint Committee on Human Rights. Published on 30 March 2007 by authority of the House of Commons London: The Stationery Office Limited, HL Paper 81-I HC 60-I <http://www.publications.parliament.uk/pa/jt200607/jtselect/jtrights/81/81i.pdf> , *Asylum: Understanding Public Attitudes* Miranda Lewis, IPPR, 30 Jun 2005 <http://www.ippr.org/publications/55/1364/asylum-understanding-public-attitudes>.

What’s the story? Media Representation of Refugees and Asylum Seekers in the UK Article 19, 2003 <http://www.article19.org/data/files/pdfs/publications/refugees-what-s-the-story-.pdf>.

² *Bogus, Sham and Swamp: The Words and Numbers of Anti-immigration*, 15.06. 11 JCWI blog <http://jcwi.wordpress.com/2011/06/15/bogus-sham-and-swamp-the-words-and-numbers-of-anti-immigration/> .

³ ECR Report on the United Kingdom CRI(2010)4, Adopted on 17 December 2009, published on 2 March 2010 http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/united_kingdom/GBR-CbC-IV-2010-004-ENG.pdf

Journalists themselves have given evidence in the context of the Leveson enquiry about the extent to which they are subject to pressure to report on immigration issues in way that fits within certain negative narratives. Richard Peppiatt, formerly a reporter for the Daily Star in his evidence to this enquiry notes:

... the impression I got from more senior colleagues and personal observation was that Richard Desmond's biggest interest is in the business, rather than the journalistic, side of his newspapers, which is to say that editorial decisions are dictated more from the accounts and advertising departments than the newsroom floor. The net effect of this is that stories which sell well... had to be sourced on a daily basis, whether there was a tale to tell or not. This naturally led to fabrication in order to fulfil an unrealistic quota. **Much more insidious was when this same philosophy was applied to stories involving muslims and immigrants, when yet again a top down pressure to unearth stories which fitted within a certain narrative (immigrants are taking over, Muslims are a threat to security) led to casual and systematic distortions...**

This kind of reporting referred to above is akin to advocacy rather than investigative journalism given that it often tends:

- (i) to ignore reporting any benefits that immigration generates⁵
- (ii) to exaggerate the numbers of asylum seekers/ immigrants present through use of emotive language like 'flood' and 'flows'⁶
- (iii) in the worst cases to provide factually inaccurate information⁷, and in better scenarios to present misleading (hostile) pictures.⁸

2. Government and media coverage

Instead of countering the above tendencies, there is evidence of the Government generating and perpetuating the above style of reporting. A recent and notable example of this is the 'cat/human rights' speech given by Theresa May during Party conference in

⁵ See for example *White Britons will be outnumbered by 2066 if immigration continues at Current Rates*, Daily Mail, 18 November 2010 <http://www.dailymail.co.uk/news/article-1330734/White-Britons-outnumbered-2066-immigration-continues.html> but see the actual report by the Migration Advisory Committee which actually highlighted a number of benefits brought about through immigration for which see the actual report entitled *Limits on Migration, Limits on Tier 1 and tier 2 for 2011/12 and supporting policies*, Migration Advisory Committee 2010 <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/workingwithus/mac/mac-limits-t1-t2/report.pdf?view=Binary>.

⁶ Ibid at 2.

⁷ See for example *370,000 Migrants on the dole. Really?* JCWI blog, 27.01.12 <http://jcwj.wordpress.com/2012/01/20/370000-migrants-on-the-dole-really/>. See also *'Family of 12 Ethiopian asylum seekers who have just landed in Britain get £1460.00 a week for vast London home.'* In this case JCWI complained to the Press Complaints Commission given that asylum seekers are not eligible for the above on arrival in the UK, some changes were made in the light of our complaint.

⁸ See *'Family of 12 Ethiopian asylum seekers who have just landed in Britain get £1460.00 a week for vast London home.'* Asylum seekers are excluded from the welfare state, and even upon securing status securing this kind of scenario is extremely rare.

October 2011. The speech falsely claimed⁹ that an immigrant had been allowed to remain in the UK under the ECHR because of his pet cat. This story had in fact previously appeared in the Daily Mail two years prior to its resurrection¹⁰ at the Conference in 2011. Despite being shown to be discredited in other parts of the Press and indeed in statements by the Judicial Office,¹¹ it was reported again by the Daily Mail under the headline *'Truth about Tory catfight. Judge DID rule that migrant's pet was a reason he shouldn't be deported.'*

3. Impacts of media coverage

The Parliamentary Joint Committee on Human Rights has previously expressed real concerns about the link between the advocacy based style of reporting referred to above and the physical safety of individuals.¹² Oxfam notes:

"...media monitoring and research on the media around asylum and refugee issues continues to show much misrepresentation and negative portrayal that is having negative effects in communities in terms of harassment and racial abuse....Media vilification can be shown to have increased locally, and especially nationally, through the tabloid press in the same period. This has been born out in research and acknowledged by organisations such as the CRE and ACPO issuing guidance and support in this area."¹³

Furthermore, the UK's independent Race Monitor has identified that the above also has an impact on the actual immigration and asylum cases handled by (what is now) the UK Border Agency. In a past report she noted

"As indicated in my previous reports I am concerned about the effect of hostile, inaccurate and derogatory press comment and comments by a few politicians. I do not doubt that this negative atmosphere can affect decision-making on individual cases, as it makes caution and suspicion more likely."¹⁴

On a more general level, such reporting impacts on the nature of public debates, the shape of legislation, and race relations.

⁹ FactCheck: Theresa May caught catnapping on the job, Channel 4 News, <http://blogs.channel4.com/factcheck/factcheck-theresa-may-caught-catnapping-on-the-job/8064> .

¹⁰ Migrant facing deportation wins right to stay in Britain...because he's got a cat, Daily Mail 19 October 2009 <http://www.dailymail.co.uk/news/article-1221353/Youve-got-cat-OK-stay-Britain-officials-tell-Bolivian-immigrant.html> .

¹¹ Theresa May put on the spot over the Human Rights cat, fullfact.org, 04.10.11, http://fullfact.org/blog/theresa_may_human_rights_act_cat_conference_speech .

¹² Ibid 1 at para.349.

¹³ Ibid 1 at para 342.

¹⁴ Ibid 1 at para 348.

4. Possible proposals

In their most recent report, ECRI, whilst acknowledging some of the more recent developments that have taken place including the adoption by the Press Complaints Commission of a New Code of Practice, made the following statement:

“ECRI strongly encourages the authorities to continue and intensify their efforts to impress on the media, without encroaching on their editorial independence, the need to ensure that reporting does not contribute to creating an atmosphere of hostility and rejection towards various ethnic minority groups, and to play a proactive role in countering such an atmosphere. ECRI again recommends that the authorities engage in a debate with the media and members of other relevant civil society groups on how this could be best achieved....”¹⁵

Some possible ideas for consideration in addition to those currently under consideration are as follows:

- Amend the Editors Code of Practice to include "gross exaggeration" in the scope of Clause 1 and amending Clause 12 to widen the prohibition of discrimination to include racial, ethnic or religious groups instead of solely individuals.
- As per suggestions by the Equality and Diversity Forum add an additional clause to the Editors Code of Practice in the following terms:

"The press must avoid gratuitous pejorative reference to an ethnic or faith community or other section of society, where that reference is likely to generate an atmosphere of fear and hostility not justified by the facts."

- Replicate practice in the USA. The Code of Ethics from the US Society of Professional Journalists includes the imperatives to "Tell the story of diversity and magnitude of the human experience boldly, even when it is unpopular to do so" and to "Distinguish between advocacy and news reporting. Analysis and commentary should be labelled and not misrepresent fact or context".
- As the Parliamentary Joint Committee suggests it should be emphasized to Ministers that they recognise their responsibility to use measured language, and accurate information in their press work and that by their department so as not to give ammunition to those who seek to build up resentment against asylum seekers and migrants, nor to give the media the excuse to write inflammatory or misleading articles.¹⁶ As part of this process it should also be emphasized and ingrained in internal written policy that press officers and advisors are bound by the same standards – they exist to serve the public with the truth

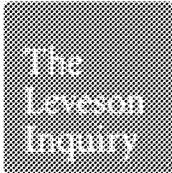
¹⁵ Ibid 3 at para 138, p.39

¹⁶ Ibid 1 at para 367.

- Consider enhancing powers of enforcement of the PCC so that there are powers to enforce corrections, and the ability to fine media outlets for breaches of an amended Code – this is particularly the case for systematic/repeat offenders.¹⁷
- Consider the creation of a more independent Board for the Press Complaints Commission so that those being regulated are not also the regulators.

JCWI would be happy to participate in the drafting of any amended guidelines in so far as they relate to immigration or asylum should the need arise.

¹⁷ In relation to the Daily Mail article 'Family of 12 Ethiopian asylum seekers who have just landed in Britain get £1460.00 a week for vast London home.' JCWI complained to the PCC. Despite being successful, a correction was posted to the website long after the comments online had dried up and only for the attention of people visiting the appropriate page weeks after the original article had been posted. We feel the impact of the correction was disproportionately less than the impact of the original, offending, article.



culture, practices and
ethics of the press

Steps before publication

1. If you are happy for the Inquiry to publish your submission please add and sign the following statement of truth to the end of your submission/statement:

Statement of Truth

I believe the facts stated in this witness statement are true.

Signed

Date07.03.12.....

Please be aware that by signing the statement of truth you are confirming that you agree that the contents of the submission/statement are true. Please take extra time to ensure that you are completely happy with your submission/statement before you sign it.

If you have provided a submission/statement in your private capacity you should state your full name in the submission/statement but should provide in a separate document personal details (e.g. address, contact address, mobile telephone number and e-mail address), which will not be published.

Please remove any personal details such as home address or telephone number before forwarding the final signed submission/statement.

If you have provided the submission/statement on behalf of an organisation, please state this clearly in the first line of the submission/statement.

2. Your signed submission/statement, in its entirety, should be returned to us by email.
3. Returning your signed submission/statement will confirm that you are content for the Inquiry to publish it on its website in the form you have provided. If this is not the case and you have any concerns or wish for certain sections to be withheld please make this clear in any response.
4. Your signed submission, once received, will initially be provided to those groups who have been designated as Core Participants to the Inquiry (a full list is available on our website: www.levesoninquiry.org.uk).
5. If the Core Participants do not raise any matters your statement will then be referred to in open session and at that point it will be published, along with your name, on the Inquiry's website.

The Inquiry intends to begin publishing submissions/statements on the website shortly and would therefore be grateful for your response by return.