

WORKING WITH THE MEDIA



A GUIDE FOR ANTI-RACIST
CAMPAIGNERS AND
REFUGEE RIGHTS ACTIVISTS

INTRODUCTION

Dealing with the media can be daunting. Many community activists, campaigners and workers in community organisations are put off, either because of previous bad experiences or because of a perception that journalists will distort stories to fit their own agendas and interests – a perception that is borne out by the coverage we see and read every day, particularly in relation to race and refugee issues. Yet working with the media is essential to any successful campaigning work or community activism. This guide aims to assist those in anti-racist and refugee rights campaigns to work with the media in a confident, strategic and effective way. The guidance is based on our own experience and on advice and documents supplied by a variety of other organisations and individuals. In particular, we have drawn heavily on materials supplied by the MediaWise Trust (formerly PressWise Trust), the Refugee Media Group in Cardiff, the Big Lottery Fund, the Commission for Racial Equality, Citizens' Advice Bureau, George Monbiot, Marnie Summerfield and Eric Allison.

We welcome your feedback and comments on this guide. Please email us at news@irr.org.uk.

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DRAWING UP AND DISSEMINATING A PRESS RELEASE

Journalists are often pushed for time. The key to drawing up an effective press release is to make their lives easier by minimising the amount of work they have to do to turn your press release into a story.

- 1** The main press release should not consist of more than one or two sheets of A4 paper and should be word-processed and double-spaced. It should be clearly marked at the top with the words 'Press Release' or 'News Release'.
- 2** Use your organisation's headed paper or logo, if you have one, give a complete date and an 'embargo' time, if appropriate (e.g. 00.01 16 August 2004). By putting an 'embargo' time, you are telling journalists not to publish the story any earlier than the time specified.
- 3** Think of an explanatory (rather than a witty or clever) headline for the story of not more than eight words – which could grab the attention of a journalist.
- 4** The opening paragraph is crucial and should contain the most important and interesting facts.
- 5** Subsequent paragraphs (of two or three sentences only) should be in order of priority. It is useful to any story if you can include direct quotes from those involved.
- 6** Ensure that the first and second paragraphs have covered the following: Who, Why, What, Where and When.
- 7** Language: try not to use abbreviations, initials or slang terms which may not be understood by someone outside your field of work. Be careful to sound authoritative rather than emotive. You should also avoid making specific allegations, e.g. about racism, violence or other unprofessional conduct, about individuals who could be identified – unless you have water-tight evidence (see page 10 on legal issues).
- 8** Make sure that the main release includes clear contact names and phone numbers (including mobiles, if possible, for out of hours).
- 9** Any additional information, particularly of a background nature to the issue, e.g. legislation which is relevant, previous statements from politicians, other similar cases, statistics which are available and information about your own organisation – should be provided on a separate sheet headed 'Notes for editors'. This need not be double-spaced but each point should be made in a separate, numbered paragraph (which makes them easier to digest). Again, it should not run to over one A4 sheet.
- 10** If you are having an event where individuals will be available for interview or will be making public statements, make this clear (journalists are always looking to 'humanise' their stories, this is an important way of the pulling them in).
- 11** Send your release out as widely as possible using either fax or email (hopefully your technology should allow you to do this automatically in a 'mass' way). Wherever possible send it to a named journalist rather than just to the 'News Desk'. (Sending out a release widely does not mean sending it to a journalist or a paper which you know has a reputation for being hostile. To alert those who are already unsympathetic to your 'cause' to a new dimension of your work, could invite yet more hostile coverage.)

12 The timing of the release depends on what you are press-releasing. A report, a press conference or an event might require different timings. It might be a good idea to flag up an event two weeks before and then follow it up with another release two days before it takes place. Two days is also standard before the release of a report or a press conference.

13 You should also follow up these releases with a phone call to specific journalists who you think will be interested. You should not appear to be pestering them but, rather, ensuring that they have received something that you think will be of particular interest to them. You might also add when on the phone an item of information about the event.

Example press release

**INSTITUTE OF
RACE
RELATIONS**

Institute of Race Relations
2-6 Leeke Street
London WC1X 9HS.
Tel. 020-7837 0041
Fax 020-7278 0623
Web www.irr.org.uk
Email info@irr.org.uk

Embargo: 3 August 2005

For further information, please
contact Harmit Athwal on
020 7837 0041 or 01234
567890

PRESS RELEASE

Forty-five race murders in Britain since publication of Macpherson report in 1999

With its similarities to the murder of **Stephen Lawrence**, the racist murder of **Anthony Walker** in Huyton, Liverpool, on 30 July 2005 resonated strongly in the national conscience. But figures released today by the Institute of Race Relations (IRR) show that there have been forty-five murders with a known or suspected racial element since the publication of the Macpherson report in February 1999, most of which received little publicity; in many cases, too, the response from the criminal justice system was inadequate.

The forty-five cases that the IRR has documented indicate that there are still problems in the way that racially motivated violence is dealt with by the criminal justice system. While many of these cases were investigated by the police as possible racial crimes, the racial element was, on occasion, not acknowledged in the trial or in the sentencing. In many cases, the murders received scant attention in the national media and the families of the victims were left to campaign for justice without the wider support that media attention brings.

The IRR's research also shows that the victims of fatal racial violence are increasingly those who are most marginalised in British society: asylum seekers or foreign nationals working in the UK. In the last year alone, one asylum seeker has been murdered (**Kalan Kawa Karim**) and four foreign nationals have been murdered in attacks with a known or suspected racial element.

Following the bombs in London on 7 July, there has been evidence from police forces and community organisations across the country of an increased number of racist attacks. Just days after the London bombings, a 48-year-old Pakistani man, **Kamal Raza Butt**, was murdered; he was allegedly taunted with the word 'Taleban' as he was punched to the ground by a gang of youths in Nottingham. In London, police figures show a six-fold increase in crimes motivated by religious hate, mostly against Muslims, since the bombings. There were 269 'religious hate crimes' in the three weeks after 7 July compared with forty in the same period in the previous year.

Notes to editors

1. On 30 July 2005, **Anthony Walker**, a 17-year-old Black student was brutally murdered as he walked home with his girlfriend and a cousin in the Huyton area of Liverpool. The

group was subjected to racist abuse before a vicious gang of thugs embedded an axe in Anthony's head.

2. Liverpool police have promised not to make the same mistakes as the officers investigating the murder of Stephen Lawrence in 1993. That investigation failed to result in a conviction against those accused of his murder. The Macpherson inquiry into the murder and its investigation made far-reaching recommendations into the investigation and prosecution of racially motivated crimes.
3. The forty-five people who have been murdered since February 1999 are Andrea Dykes, John Light, Nicholas Moore, Stelios Economou, Harold (aka Errol) McGowan, Liaquat (aka Bobby) Ali, Joseph Alcendor, Ben Kamanalagi, Hassan Musa, Zardasht Draey, Jason McGowan (1999), Zahid Mubarek, Santokh 'Peter' Singh Sandhu, Kobra Divakaren, Jan Marthin Pasalbessi, Glynnie Agard, Mohammed Asghar, Abdi Dorre, Tariq Javed, Khaliur Rahman, Sarfraz Khan (2000), Gian Singh Nagra, Fetah Marku, Shibli Rahman, Shaun Rodney, Sharon Bubb, Firsat Dag (2001), Peiman Bahmani, Shah Wahab, Derrick Shaw (2002), Mohammed Isa Hasan Ali, an unnamed Asian man, Paul Rosenberg, Johnny Delaney, Awais Alam, Quadir Ahmed (2003), Kris Donald, Shahid Aziz, Akberali Tayabali Mohamedally, Bapishankar Kathirgamaathan, Kalan Kawa Karim, Lalji Joshi, (2004), Marek Smrs, Kamal Raza Butt, and Anthony Walker (2005).
4. Full details of the cases are available on the IRR website at <http://www.irr.org.uk/violence> or on request from the IRR.
5. The Institute of Race Relations is an educational charity at the cutting edge of the research and analysis that informs the struggle for racial justice in Britain and internationally. It seeks to reflect the experience of those who suffer racial oppression and draws its perspectives from the most vulnerable in society.

CONTACTING THE MEDIA AND BUILDING A RELATIONSHIP

- 1** Make one person in your organisation responsible for dealing with the media. Ideally, this person should be well-informed about your organisation and about your policy area, have good communications skills and be available within office hours and contactable outside them.
- 2** Make it the responsibility of the 'press officer' to draw up a database of all media contacts. This should include details of all media people who contact the organisation plus the names and details of journalists whom you read, hear or see covering issues/cases well or sympathetically in the area of your work. You should keep a note of email addresses, fax and phone numbers for individuals, the paper/programme they work for and the frequency of production and deadlines. (Note, most journalists expect to receive written text by email or fax and not conventional mail.) It is important to keep the list/database up to date, noting when new journalists join or when a good journalist moves elsewhere. If you can establish a computerised database, from which you can make 'mass' emails or faxes, it will save an inordinate amount of time in the future.
- 3** Such a database has to be constructed in terms of your locale, sector and field of work but it might be useful to note just how wide the database can be. It could include contacts (ie news editors, home affairs specialists, etc.) on:
 - a) national dailies, national Sunday papers, regional papers, local papers, free papers, magazines of particular interest groups (e.g. refugees, housing, children's rights etc.), the Black and Minority Ethnic press, community or political magazines or papers;
 - b) news programmes on national, regional and local radio and television, specialist programmes within radio and TV;
 - c) email mailing lists, newsletters and websites in your and allied fields;
 - d) freelance writers and columnists.
- 4** Your 'press officer' may be able to be proactive about forming relationships with key journalists, particularly on national and local papers. This might involve contacting the paper and introducing themselves and the organisation to the journalist concerned, asking what kinds of stories are of interest to the paper and the individual, finding out what stories they are working on and offering to send in material, making sure to send the person the organisation's annual report, etc. The press officer could also create or suggest a story once a relationship has been built up. Such a relationship is not a one-off, but should be sustained, even when it does not appear immediately to have a 'pay-off' for your organisation.
- 5** Local media are often more responsive than national media because they are more 'accountable' to local communities and more careful about their coverage. And they are more likely to be interested in local human interest stories.
- 6** When you have a good news story, it is perfectly acceptable to approach any number of your media contacts. But be fair and let them know that others have been approached. If you do negotiate 'an exclusive', keep it exclusive to show you can be trusted in the future.

MAKING COMMENTS AND MANAGING INTERVIEWS

- 1** If you are approached for a comment or an interview, the first thing is to remain calm and unflustered as *you* decide whether you want to respond. Do not be hustled into something you later regret. Without being hostile, ask as many questions as you can about the programme or story you are being approached about. Try to ascertain the point of view/slant that may be behind any story, without being aggressive. Try to work out the format of a programme, whether your interview would be live and, if so, who else would be in the studio; if it is not live, think about the fact that you might be edited in a particular way. We all have very little power when it comes to the media but it does help to be as well-informed as we can be beforehand.
- 2** If you are just being asked for a quick comment over the phone and feel under pressure, ask if you can ring back with a comment in a few minutes. Ask how many words they might want and make sure you have the person's direct number. If you or your organisation do not want to make a comment, you can always appear helpful by suggesting another organisation or person who might want to comment.
- 3** Never give a private number of an individual to a journalist unless you have checked with them first. Journalists can be very unscrupulous about private numbers and very persistent if they need a comment near a deadline! Refugees or other victims of racism might be happy to make a comment but may not want to be identified or to meet journalists directly. You can act as a conduit, while protecting the 'source'.
- 4** Whatever you do, always respond to journalists. If you do not (even if it is to say you can't help this time) they may not approach your group again. You want your organisation to stay listed in their contacts book.
- 5** Occasionally, you may be approached by a journalist working on a radio, TV or print feature whom you think it is worth spending time on. What you are effectively having to do is to act not as a press person but as an educator. If they are open-minded and serious about the subject, they might well welcome your help in understanding issues more deeply and even being pointed in directions they would not have thought of initially. And even more occasionally, your organisation might be asked to co-operate in the making of a feature or programme – especially if it is of a sensitive nature. Obviously if you have got to this point with a journalist or team, you will need to have established a high level of trust between them and your organisation before setting off on the joint venture.
- 6** People have the most difficulty with and are most nervous about being interviewed by radio and TV. But there are many ways in which one can prepare for such interviews so as to mitigate the stress.
 - a) See whether you can influence or change the way you are to be interviewed. If a live interview worries you, see whether it can be pre-recorded. If it is a radio interview and you would be more comfortable doing it in your office rather than a studio, ask if it is possible. If you prefer to be interviewed on the phone, rather than going to a studio, ask if that can be done. (But note, there are always pros and cons, e.g. a pre-

recorded interview will then be edited and you lose some control. Similarly a phone interview, if others are in a studio, can put you at a disadvantage.)

- b) Find out as much as you can about the format and slant of the programme beforehand. Find out who else might be interviewed alongside you and spend some time researching their views too. Find out the length of a programme and what else will be included, so as to ascertain just how much time you will have to put your ideas across.
- c) Prepare what you are going to say. For example, it might be helpful to make a list of three key points and prioritise them, so that if you are pressed for time, you know what you will say first. Prepare to put the ideas across concisely and even practise saying them to yourself out loud or to someone else you work with. Don't crowd yourself with facts and figures but perhaps use one recent statistic or a recent piece of research evidence and one recent case to bolster the points you want to make. Try to think of something new which might stick in people's minds.

7 There are several techniques that can be used during the interview itself:

- a) Expect interviewers to ask loaded questions with mistaken assumptions or implications. In such situations, do not waste time unpicking the question. Instead, try to put your points across in spite of the way in which the question was asked. Use the questions just as stepping stones to the points you want to make. You can, for example, say, 'yes, you have a point but ...' or 'we don't really

think that is the key issue; it is a matter of ...' (The audience is actually very used to this, which is why politicians do it all the time; in fact, many listeners and viewers mentally blank out questions.)

- b) Try to imagine that you are not talking to the interviewer or a studio opponent at all, but beyond them to someone else. To make it less threatening, instead of imagining the thousands of people you are addressing, imagine it is just one person (may be someone you know) that you are trying to convince.
- c) If you are asked something that you cannot or do not want to talk about, say something like 'I am afraid that I am not qualified to comment on that issue' and then switch the subject yourself, so that you can carry on talking, 'but what we should not forget is ...'
- d) Be aware and do not use language, terms or abbreviations that the audience will not be familiar with. And if someone else in the interview uses a wrong term, or even one that you consider offensive, it is not always the best response to take immediate issue and waste time arguing over terminology. It is often better to carry on with you using the right term or perhaps even gently correcting the person as you make another point with 'we prefer to use the term ...'
- e) If you can, try not to get angry or defensive. Keeping calm will come over as though you are 'right'. If you show your anger at an opponent, you will lose your focus and lose public sympathy. Remember the person in the studio is not your focus, the person listening is.

- f) You can be confident because you will not have been asked to do the interview unless the journalists or researchers on the programme thought you were the right person to speak on the subject.

8 Some additional tips for a television interview:

- a) dress smartly, but not flamboyantly and remember it can get pretty hot if you are under the lights for a length of time;
- b) try not to fidget, play with jewellery or hair, or move in your chair (however nervous you are);
- c) be conscious that the camera may still be on you when others are talking, so don't pull facial expressions or look bored (even when you are exasperated). Always look,

interestedly, towards those who are speaking;

- d) try not to be distracted by the technology around you, try to look at your interviewer or, if asked, into the camera which is recording.

- 9** If you are facilitating an interview of, for example, an asylum seeker or anyone else who may be vulnerable, there may be additional factors that you need to consider such as whether they ought to have their face out of view or voice distorted so as to protect their identity, whether they need a safe place for carrying out the interview (rather than a public venue), whether they would simply need your support before, during and after the interview. If you put a journalist or reporter in touch with someone who has a story to tell, it is also your responsibility to protect that person from the media and ensure that they are comfortable with what is being demanded of them.

MANAGING PHOTOS

- 1** Sending a photo to accompany a story is a good way of adding human interest and the chances of the story being picked up by a paper. If your organisation can afford it, it is worth investing in a digital camera which will then enable you to take any number of photos, select and crop those you wish used and send them electronically as JPEG files to the media.
- 2** Remember when you send any photos, you need to also send explanatory captions and an accreditation line, if one is needed. If a photo is not sourced to your organisation or your photographer, it will be assumed the picture belongs to the paper and you could find that it is reproduced again without your consent.
- 3** If you are not sending photos electronically, but making actual prints available to a paper, never send the last copy you have of a rare photo. You may well not get your photos returned, so be careful.
- 4** Be aware that the photos you send to the media and any photographs taken or commissioned by media organisations themselves are, as much as the text, part of the story and a powerful part of the fight against racism and stereotyping. Think carefully about the selection of a photo. Try to use photos which do not reinforce stereotypes of victims. Try to show people being active, possibly in surroundings which would not be associated with them. Try to show images of women (to redress the current imbalance) and, where possible, not in traditional, domestic settings.
- 5** When photos are taken of people from vulnerable groups, e.g. asylum seekers, you have to make sure that you have their *informed* consent about the use of the pictures. It is not enough just to ask them if you can take their picture. They may not know that the picture is not for internal use. If it is for a wide-circulation paper, ensure they realise that they could be identified. Make sure that this cannot in any way affect their claim to stay in the country or have any repercussions for family members elsewhere. The same rules apply if you take a picture of a meeting, picket or march, on which individuals could be identified. (It is not necessarily a good idea to try to deface or cover up or blur out a face on a photo, as a way of protecting identity. This could reinforce in the public mind the idea that people have something to hide and are somehow 'bogus'.)
- 6** Be aware that pictures, for example, of demonstrations, could via banners or placards, contain words which are potentially libellous or put an organisation's charitable status in jeopardy. The legal rules about libel, about commenting on a person's professional competence and the constraints on what charities can say, extends to words carried in photographs. A newspaper might well publish exactly what it is sent or what it has commissioned, without giving any thought to the consequences for your organisation; it is up to you to forestall any such consequences.

LEGAL ISSUES

If you are publishing written materials, in a newsletter or leaflet, for example, or providing another news outlet with a story you have written, you should be aware of potential legal constraints on what you say and how you say it.

Libel law

- 1** If you name an individual, organisation or company, or make it possible for an individual, group or company to be identified, then the article could be libellous if it were to reduce the reputation of the individual, organisation or company 'in the eyes of right-thinking people'. There are particular risks if a professional or commercial reputation is 'reduced' or if a person or group is exposed to hatred. Libel actions can be pursued in the British courts by individuals or organisations from anywhere in the world.
- 2** The only defences to libel are that the statement is proved to be true, that the statement was fair comment on a matter of public interest or that the statement is covered by judicial or parliamentary privilege (normally statements made in court or parliament can be reported without risk of libel).
- 3** The fact that the same statement may have already been published previously elsewhere is not a valid defence against libel.
- 4** To describe an individual or organisation as 'racist' or 'fascist' is *prima facie* libellous.
- 5** Making allegations against named or identifiable police or prison officers or those working in private companies to which government departments have sub-contracted services involved in contentious cases is usually a libel risk.

- 7** Remember, most small organisations cannot afford the fees of fighting a libel suit, the costs of getting a lawyer to vet a story prior to publication or the costs that might result from losing a libel action or having to settle out of court, so err on the side of caution.

Contempt law

Contempt of court occurs if any published material, such as a campaign leaflet, gives rise to a substantial risk that the course of justice could be prejudiced. Contempt affects any active case (i.e. from the moment a suspect is arrested) till after sentencing and every court from the Coroner's court to the Magistrate's court and Crown court and cases at appeal. It means that:

- 1** No pictures of suspects or defendants should be published while the case is active.
- 2** No article should make a comment about the case while it is active (unless to discuss the issues involved in a way which promotes the public interest) or speculate on its outcome.
- 3** No article should publish evidence prior to that evidence being presented to a jury and, after it has been presented, it has to be reported fairly and accurately as it was presented in court. Obviously a summary of the evidence is acceptable provided it is a fair summary.
- 4** While the case is active, no information should be published which has not been heard by the jury, e.g. legal discussions when the jury is absent.
- 5** No comments made by witnesses outside the trial should be published while the case is active.

- 6** No written material should discuss the jury's deliberations even after the trial is complete.
- 7** Judges can also impose additional reporting restrictions and certain cases, for example when defendants are under 18, are subject to additional restrictions which forbid the naming of defendants.
- 8** If written material is in contempt of court, it can be ordered to be withdrawn by the Attorney General and, in some cases, criminal prosecutions may be considered. It could also result in trials being abandoned or in a retrial, which could have adverse consequences for any individuals that your organisation was attempting to support.

Charity law

- 1** In the last two years, a number of organisations working in the race/refugee field have fallen foul of the Charity Commission over what they have written and published. If your organisation is a registered charity, there are constraints on the political activities and the campaigning it can do. This extends to written materials published by a charity. On occasion, organisations which go beyond Charity Commission rules are investigated and can, ultimately, have their charitable status withdrawn (see the Charity Commission's document CC9, *Political Activities and Campaigning by Charities*, available on the Charity Commission's website: www.charity-commission.gov.uk).
- 2** No written material should be written in a way that it supports or opposes a political party, an MP or the government or seeks to persuade the public to vote for or against a particular candidate or party.
- 3** No written material should include inaccurate facts or a distorted selection of data in support of a preconceived position.
- 4** Written material should be based on a well-founded and reasoned case and be expressed in a responsible way – avoiding emotive language.
- 5** The subject of your article should fall within the scope of the charity's 'purposes'.

SEEKING REDRESS

Informal complaints

1 *Newspapers:*

If you or someone you are acting for think that a newspaper story has misrepresented you/them, it is worth approaching the paper directly. Note that it might be worth quoting the industry's Code of Conduct (see *Press Complaints Commission* below) in your complaint. In the first instance, you should contact the journalist, followed by the paper's editor, or the editor who deals with corrections for the paper, to ask for a written apology or clarification. If this is not agreed, you can try using the letters page of the same publication as a way of correcting a factual error or an overall wrong impression. (But remember a letter is more likely to be published, if it uses temperate language and does not go on the attack against the paper or the journalist involved.)

2 *Radio and television:*

If a radio or television programme broadcasts a description or uses terminology which you believe to be incorrect or racist or offensive, and it is likely, e.g. in a news bulletin, to be repeated, it can be effective to ring the programme immediately to register your unhappiness about the language used.

Formal complaints

1 The *Press Complaints Commission* (PCC) is a self-regulatory body established by the print media to hear complaints under a Code of Practice that covers all print publications. It is primarily concerned with maintaining professional and commercial standards. Complaints should be sent in writing to the Director. On complaints of racism, the PCC code does not allow

complaints from anyone not named in the article, but complaints should still be sent.

Before making a complaint, find out what the Code of Practice says (see p 15). Any complaint should relate to at least one of its clauses. For example Clause 1 on accuracy says that the press should not be 'inaccurate' or 'misleading', that the press 'must distinguish clearly between comment, conjecture and fact'. Clause 2 says that opportunity should be given to reply to inaccuracies. Clause 3 is about right to privacy. Clause 4 precludes harassment of individuals, etc. Clause 12 on discrimination states that the press 'must avoid prejudicial or pejorative reference to an individual's race, colour, religion, gender, sexual orientation or to any physical or mental illness or disability'. And details of an individual in relation to the above must be avoided unless genuinely relevant to a story.

Your complaint should be written clearly and unemotionally, quoting headlines, paragraphs, pictures or captions which you feel breach the code and explaining your concerns.

The Press Complaints Commission,
1 Salisbury Square,
London EC4Y 8JB.
Tel: 020 7353 1248
Fax: 020 7353 8355
Web: www.pcc.org.uk
Email: pcc@pcc.org.uk

2 The Office of Communications (Ofcom) is a government organisation, replacing the Independent Television Commission, the Radio Authority and the Broadcasting Standards Commission, which handles all complaints about broadcasting, programming, advertising and licences. If you wish to make a complaint about any programme transmitted on radio or

television (including satellite and cable) you should first contact OFCOM. For the BBC, you can also use its complaints procedure. When you contact OFCOM, make sure you have exact details of the name of the programme, the date and time of transmission. Complaints to OFCOM can cover concerns over fairness and standards in broadcasting, offensive material and the infringement of privacy.

OFCOM Contact Centre,
Riverside House,
2A Southwark Bridge Road,
London SE1 9HA.
Tel: 020 7981 3000
Fax: 020 7981 3333
Web: www.ofcom.org.uk

In Scotland you should contact:

SACOT – the Scottish Advisory
Committee on Telecommunications,
38 Thistle Street,
Edinburgh EH2 1EN.
Tel: 0131 226 7275
Fax: 0131 226 4181

To complain about a BBC programme, contact:

BBC,
Viewers and Listener Correspondence,
4th floor,
Villiers House,
The Broadway,
London W5 2PA.
Tel: 020 8743 8000

Or:

Head of Programme Complaint,
Complaints Unit,
BBC Broadcasting House,
London W1A 1AA.

The BBC's Viewers and Listeners Information Service provides a daily summary of comments from listeners and viewers for senior programme makers. The Programme Complaints Unit deals with formal complaints about programmes. In any complaint make sure you include the programme title, the channel it was

broadcast on and the transmission date and time.

To complain about printed or broadcast advertisements, contact the Advertising Standards Authority (ASA), which hears complaints under the British Code of Advertising and Sales Promotion. Its provisions cover any advertisements whether on leaflets, posters, publications, cinemas or the internet. Any complaint, where possible with a copy of the advert, should be sent as quickly as possible, and include your opinion on the advert.

Advertising Standards Authority,
Mid City Place,
71 High Holborn,
London WC1V 6QT.
Tel: 020 7492 2222
Fax: 020 7242 3696

Help with complaints

The MediaWise Trust (formerly the PressWise Trust) is a voluntary organisation which advises those affected by unfair or inaccurate media coverage. It can help you make a complaint to any of the bodies listed above.

The guidelines on Reporting Asylum and Refugee Issues, produced by MediaWise for the NUJ Ethics Council, is a useful document to quote if you are making a complaint about media coverage of such issues (see p 19).

MediaWise Trust
38 Easton Business Centre,
Felix Road,
Bristol, BS5 0HE.
Tel: 0117 941 5889 and 07968 031 532
Fax: 0117 941 5848
Email info@mediawise.org.uk
Website: www.mediawise.org.uk

An emergency number for people who feel they are being harassed by congregating journalists has been agreed by OFCOM, the PCC and news organisations: the 24-hour number is 07659 152 656.

Beyond complaints

There are many other ways of making distaste or even anger about reporting known – particularly if there is a group which feels the same way about an article, a programme or a paper. Over the years a number of unconventional protest tactics have been used. On occasion, local and national dailies have been picketed by protestors with prominent banners detailing their complaints; offices of papers and studios of TV broadcasts have been ‘invaded’; educative work has been done with journalists on particular papers, via the union chapel; letter-writing campaigns have been orchestrated; campaigns against racism in the media have been organised between journalists and community campaigners. There is in fact a whole history of inventive, direct action campaigning against racism in the media. This kind of work will not usually win individual redress, but is a very public way of raising consciousness about media coverage and, if kept within the law, can be very effective.

In addition, of course, some groups publish their own counter-information services, and technology now allows this to be far more feasible – as an email service. For example, the Institute of Race Relations publishes IRR News (www.irr.org.uk), the National Coalition of Anti-Deportation Campaigns publishes its own bulletins on individual cases (www.ncadc.org.uk) and the 1990 Trust publishes the ‘Blink’ website (www.blink.org.uk).

PRESS COMPLAINTS COMMISSION CODE OF PRACTICE

The code

All members of the press have a duty to maintain the highest professional standards. This Code sets the benchmark for those ethical standards, protecting both the rights of the individual and the public's right to know. It is the cornerstone of the system of self-regulation to which the industry has made a binding commitment.

It is essential that an agreed code be honoured not only to the letter but in the full spirit. It should not be interpreted so narrowly as to compromise its commitment to respect the rights of the individual, nor so broadly that it constitutes an unnecessary interference with freedom of expression or prevents publication in the public interest.

It is the responsibility of editors and publishers to implement the Code and they should take care to ensure it is observed rigorously by all editorial staff and external contributors, including non-journalists, in printed and online versions of publications.

Editors should co-operate swiftly with the PCC in the resolution of complaints. Any publication judged to have breached the Code must print the adjudication in full and with due prominence, including headline reference to the PCC.

1 Accuracy

- i) The Press must take care not to publish inaccurate, misleading or distorted information, including pictures.
- ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence,

and – where appropriate – an apology published.

- iii) The Press, whilst free to be partisan, must distinguish clearly between comment, conjecture and fact.
- iv) A publication must report fairly and accurately the outcome of an action for defamation to which it has been a party, unless an agreed settlement states otherwise, or an agreed statement is published.

2 Opportunity to reply

A fair opportunity for reply to inaccuracies must be given when reasonably called for.

3 *Privacy

- i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications. Editors will be expected to justify intrusions into any individual's private life without consent.
- ii) It is unacceptable to photograph individuals in private places without their consent.

Note – Private places are public or private property where there is a reasonable expectation of privacy.

4 *Harassment

- i) Journalists must not engage in intimidation, harassment or persistent pursuit.
- ii) They must not persist in questioning, telephoning, pursuing or

photographing individuals once asked to desist; nor remain on their property when asked to leave and must not follow them.

- iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other sources.

5 *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. This should not restrict the right to report legal proceedings, such as inquests.

6 **Children*

- i) Young people should be free to complete their time at school without unnecessary intrusion.
- ii) A child under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.
- iii) Pupils must not be approached or photographed at school without the permission of the school authorities.
- iv) Minors must not be paid for material involving children's welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.
- v) Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

7 **Children in sex cases*

1. The press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences.
2. In any press report of a case involving a sexual offence against a child -
 - i) The child must not be identified.
 - ii) The adult may be identified.
 - iii) The word "incest" must not be used where a child victim might be identified.
 - iv) Care must be taken that nothing in the report implies the relationship between the accused and the child.

8 **Hospitals*

- i) Journalists must identify themselves and obtain permission from a responsible executive before entering non-public areas of hospitals or similar institutions to pursue enquiries.
- ii) The restrictions on intruding into privacy are particularly relevant to enquiries about individuals in hospitals or similar institutions.

9 **Reporting of Crime*

- i) Relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story.
- ii) Particular regard should be paid to the potentially vulnerable position of children who witness, or are victims

of, crime. This should not restrict the right to report legal proceedings.

10 **Clandestine devices and subterfuge*

- i) The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorised removal of documents or photographs.
- ii) Engaging in misrepresentation or subterfuge, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

11 *Victims of sexual assault*

The press must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so.

12 *Discrimination*

- i) The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, gender, sexual orientation or to any physical or mental illness or disability.
- ii) Details of an individual's race, colour, religion, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

13 *Financial journalism*

- i) Even where the law does not prohibit it, journalists must not use for their own profit financial information they

receive in advance of its general publication, nor should they pass such information to others.

- ii) They must not write about shares or securities in whose performance they know that they or their close families have a significant financial interest without disclosing the interest to the editor or financial editor.
- iii) They must not buy or sell, either directly or through nominees or agents, shares or securities about which they have written recently or about which they intend to write in the near future.

14 *Confidential sources*

Journalists have a moral obligation to protect confidential sources of information.

15 *Witness payments in criminal trials*

- i) No payment or offer of payment to a witness – or any person who may reasonably be expected to be called as a witness – should be made in any case once proceedings are active as defined by the Contempt of Court Act 1981.

This prohibition lasts until the suspect has been freed unconditionally by police without charge or bail or the proceedings are otherwise discontinued; or has entered a guilty plea to the court; or, in the event of a not guilty plea, the court has announced its verdict.

- *ii) Where proceedings are not yet active but are likely and foreseeable, editors must not make or offer payment to any person who may

reasonably be expected to be called as a witness, unless the information concerned ought demonstrably to be published in the public interest and there is an over-riding need to make or promise payment for this to be done; and all reasonable steps have been taken to ensure no financial dealings influence the evidence those witnesses give. In no circumstances should such payment be conditional on the outcome of a trial.

- *iii) Any payment or offer of payment made to a person later cited to give evidence in proceedings must be disclosed to the prosecution and defence. The witness must be advised of this requirement.

16 **Payment to criminals*

- i) Payment or offers of payment for stories, pictures or information, which seek to exploit a particular crime or to glorify or glamorise crime in general, must not be made directly or via agents to convicted or confessed criminals or to their associates – who may include family, friends and colleagues.
- ii) Editors invoking the public interest to justify payment or offers would need to demonstrate that there was good reason to believe the public interest would be served. If, despite payment, no public interest emerged, then the material should not be published.

The public interest

There may be exceptions to the clauses marked * where they can be demonstrated to be in the public interest.

- 1** The public interest includes, but is not confined to:
 - i) Detecting or exposing crime or serious impropriety.
 - ii) Protecting public health and safety.
 - iii) Preventing the public from being misled by an action or statement of an individual or organisation.
- 2** There is a public interest in freedom of expression itself.
- 3** Whenever the public interest is invoked, the PCC will require editors to demonstrate fully how the public interest was served.
- 4** The PCC will consider the extent to which material is already in the public domain, or will become so.
- 5** In cases involving children under 16, editors must demonstrate an exceptional public interest to over-ride the normally paramount interest of the child.

Source: <http://www.pcc.org.uk/cop/cop.asp>

REPORTING ASYLUM AND REFUGEE ISSUES

This guidance has been produced by MediaWise (The PressWise Trust) for the NUJ Ethics Council, with support from the United Nations High Commissioner for Refugees.

Introduction

Asylum and immigration issues are controversial areas of public policy and debate. However, public opinion and policy formation are not well served when media coverage is inaccurate, misleading or unfair.

This guidance is designed to be of practical assistance to journalists seeking to report on the issues accurately and fairly.

Asylum-seekers and refugees who have already fled conflict and persecution, and communities identified with them, have been subjected to xenophobic attacks in the UK. Alarmist media coverage has been blamed for encouraging or validating such attacks.

In October 2003 the Press Complaints Commission issued a guidance note to editors warning of 'the danger that inaccurate, misleading or distorted reporting may generate an atmosphere of fear and hostility that is not borne out by the facts' – and could be in breach of Clause 1 of the industry Code of Practice.

Terminology

Journalism uses shortcuts to convey information. However, it helps to be precise and consistent when using terms with legal definitions.

1 *Who is an asylum-seeker?*

Anyone who has applied for asylum against persecution under the 1951 UN Convention on Refugees, and is waiting for a decision.

2 *Who is a refugee?*

Anyone who has been granted asylum under the UN Convention, to which the UK is a signatory along with 144 other countries. The precise legal definition in Article 1 of the Convention refers to a 'refugee' as a person who: 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.'

3 *What about those fleeing general conflict?*

People who do not qualify for refugee status may be granted humanitarian protection allowing them 'leave to remain' in the UK for a defined or indefinite period, if they cannot safely return to their home country. UNHCR describes these people as 'refugees'.

4 *Can those not granted refugee status or temporary leave to remain be sent back home?*

YES – although their country of origin might refuse to accept returnees or return may not be possible. Such individuals will generally not be eligible to receive UK benefits or support, nor are they legally entitled to work. In some cases they will be held in detention.

5 *Who is an 'illegal asylum-seeker'?*

NO-ONE. This term is always incorrect. It cannot be illegal to seek asylum since everyone has the fundamental human right to request asylum under international law. The term 'bogus asylum-seeker' is also

inaccurate and misleading as it pre-judges the outcome of an asylum application – rather like describing a defendant as entering a ‘bogus plea of innocence’ during a trial.

6 *Are there ‘failed asylum-seekers’?*

YES. The term covers individuals who have exhausted all their legal avenues in seeking asylum. That does not necessarily mean their claim is ‘bogus’; it means they have failed to meet the UK’s current criteria, which change from time to time. Their lives may still be at risk, and they may qualify to remain in the UK on humanitarian grounds.

7 *Are ‘asylum-seekers’ the same as ‘illegal immigrants’?*

NO. Asylum-seekers have registered with the Home Office and are allowed to remain in the UK while their claim is being considered. The Convention acknowledges that someone fleeing persecution may enter a country by irregular means (and often without any documents) in order to claim asylum. The term ‘illegal immigrants’ could apply to people who can be shown to have:

- entered the country illegally, without permission from an Immigration Officer, who then continue to reside in the UK without contacting the authorities or making an asylum application; OR
- entered the country legally, with all the necessary documents, but then disregard limits placed on the length of stay set on their visa (‘overstayers’); OR
- refused to co-operate with Home Office attempts to remove them for whatever reason.

8 *What do you call someone who tries to enter the UK by unlawful means?*

Some of those smuggled into the UK (hidden in lorries, etc) will be seeking asylum, but it is inaccurate to categorise them all as ‘asylum-seekers’ since some may have no intention to seek asylum. The government refers to these as ‘clandestines’ although ‘irregular migrants’ might be a more accurate and less confusing term. People-smugglers are committing a crime but their clientele may not be.

9 *Who are ‘economic migrants’?*

People who leave their home country to seek work and opportunities unavailable there. The term could be applied to all those who obtain work permits from the government to fill labour shortages in the UK. UNHCR describes a ‘migrant’ as someone who makes a conscious, voluntary choice to leave their country of origin. When they want to, they can return home in safety.

Reporting the cause of asylum seeking

Relatively little coverage is given to the human rights abuses and conflicts that force people to flee their homes, yet providing this global context would improve the quality of debate around asylum issues. Historical, cultural and family links with the UK and a desire for safety under the rule of law may be more significant than so-called ‘pull factors’ like access to benefits.

At least 25% of all those granted asylum in the UK are women, and many unaccompanied minors are sent on hazardous journeys to find safety in the UK.

A wealth of background information is available on the Internet, and balance can be achieved by referring to a variety of sources.

Interviewing refugees and asylum-seekers

Asylum-seekers and refugees have a right to be heard, and many have amazing stories to tell. However fear of reprisals 'back home', stereotyping, negative coverage and public hostility in the UK make many reluctant to talk to journalists.

When seeking interviews:

- be clear about your purpose;
- be sensitive to requests for anonymity;
- inform yourself about countries of origin.

Avoid stereotyping

Material that relies upon stereotypes for its impact (images implying threat and illegality, for example groups of masked or hooded young men) can mislead and distort perceptions, especially where they do not relate to the facts of a story. Each person's story is different.

Know your experts

When relying on experts and specialist organisations, it helps to check their details to provide context for the public – most will have websites that provide some background. Avoid relying on one source, especially when issues are contentious. There is a great variety to choose from.

Getting facts and figures right

A failure to distinguish between fact and conjecture can have alarming consequences, as can distortion of facts and figures. It is always worth checking and challenging figures quoted by politicians or others with a vested interest. To enhance credibility, indicate the provenance of statistics.

Photography and filming

Take care when publishing images that may identify individuals. Make sure captions are accurate. If in doubt about the use of images – talk to the people being portrayed.

- People fleeing persecution leave families behind who may face retribution from repressive regimes if relatives in the UK are identified.
- Exiled political activists from other countries may risk death threats or attacks by agents of the regime they opposed, or by regime loyalists in the UK.
- Normal considerations of respect for personal privacy apply to asylum-seekers and refugees, particularly when identifying children.
- Giving prominence simply because of their asylum or refugee status could lead to unwarranted discrimination and hostility.

Reporting third party comment

To avoid 'misleading or distorted reporting', care should be taken when quoting third party comments – and the prominence given to them. Publishing unsubstantiated claims or comments is poor journalistic practice. In the case of asylum issues, publishing hostile allegations can generate 'fear and hostility that is not borne out by the facts'.

Source:

http://www.mediawise.org.uk/display_page.php?id=657