Eroding the Free Press



IPSO's Guidance for Reporting on Islam and Muslims

Will Heaven and Sir John Jenkins

Foreword by Trevor Phillips



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Published by Policy Exchange, 8 – 10 Great George Street, Westminster, London SW1P 3AE

www.policyexchange.org.uk

ISBN: 978-1-910812-89-1

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Foreword

By Trevor Phillips

Next year I will begin my fifth decade as a working journalist. As a writer, TV producer and as an executive – and now as the chair of Index on Censorship – I have always tried to encourage honest, thorough and professional reporting and analysis of the UK's ethnic and religious minority communities. Unless all our citizens share in a common understanding of our nation, the prospect of an integrated society will remain a distant dream. Here, the role of journalists, film makers and creative artists, as in so many other fields, remains vital to our progress as a united society.

But, particularly for those of us in the business of reporting, analysis and commentary, the key words are "honest" and "thorough". The tradition of British journalism eschews propaganda and partisanship. In my own early days reporting on minority communities in London, many urged our teams to avoid "difficult" topics that might stigmatise minority communities; but had we done so, the principal losers would have been those very minorities. Should we have avoided tackling the over representation of young black men in prison, on the grounds that the story would "criminalise" the community? If we had, it is doubtful that many of the reforms that kept some out of jail would ever have been considered. Failing to investigate the corrupt practices of politicians in some parts of the city would have left Muslim-majority neighbourhoods to languish under the dead hand of municipal corruption.

Most British Muslims believe in and uphold the common values of our nation; the rule of law, the freedom to speak as they wish and to practise their faith as they see fit will be uppermost in their minds – aspects of British life not always evident in Muslim-majority states from which many come. So it is a desperate shame that those who claim to act in their interests are now devoting such enormous amounts of energy to suppressing thorough and honest journalism about the British community which most needs its story to be told to a wider public.

"Sensitive" and "contextualised" reporting about Muslims may sound like a cause that any right-minded individual would support. But as Policy Exchange's meticulous research shows, what is being demanded by, for example the Muslim Council of Britain, is far from the high-minded honesty insisted on by my own editors. Instead, many of the criticisms of mainstream journalism amount to a demand for a kind of media apartheid, in which Muslim communities are reported on according to rules and conventions not applied to others; and those conventions would be policed by self-appointed community leaders such as the MCB, sitting in judgement like a modern-day Lord Chamberlain. For example, the proposition that reporters should be required to consider "tensions between communities" if applied universally would bind journalists' hands and prevent the admirable work done by sports journalists in exposing the actions of rival thugs fuelling racial or sectarian violence. Appeals to "respect" all communities would have been difficult for me, when reporting on the neighbourhoods that voted for the BNP in the 1990s. Two years before the death of Stephen Lawrence, as Editor of LWT's The London Programme, I commissioned and presented an investigation into a spate of murders of young black people in south east London. Local authority bosses complained that we had overnight set black against white, increased tension locally, and driven house prices through the floor. They were undoubtedly correct; so should we have thought about these "impacts" before broadcasting? In my view, not for a single second, and I would say the same if making that decision today.

Would-be censors also advance the seemingly innocuous requirement to publish more than one opinion in any given story. Set aside the insult to journalists' integrity; this is an iniquitous imposition. When covering racial attacks on Muslim retailers, it would have had me asking "how many opinions, exactly?" – and can the advocates of these strictures seriously mean that interviewees should include any members of the English Defence League who would seek to justify those attacks?

What is exceptionally disappointing is the surrender of those who should know better to some of these regressive trends. I have fought for greater diversity amongst media and journalistic staff for the whole of my working career. Of course, it is vital for writers to be as well-informed as possible and to hear the views of everyone involved in a story, if they are willing to share them. However, this has never meant assuming that all members of an ethnic or religious group share the same perspective. And still less should it lead to editors putting a veto in the hands of selfappointed community spokespeople, or "media monitors" – in effect a religious thought police, which might not seem out of place in Turkey or Saudi Arabia, but which should have no function in the UK.

Nor should we give in to the insinuation that those who are not Muslims have less "authority" than those who are. I was astonished not long ago to hear an otherwise reasonable Muslim Briton assert to a BBC interviewer that Muslim communities did not need to hear from "outsiders" – in this case, me – discussing the issue of Muslim integration; in her eyes, such communities should in effect be a law unto themselves, immune from dialogue with their non-Muslim neighbours or scrutiny by non-Muslims. The fact that outstanding reporters such as the Times's Andrew Norfolk and Dominic Kennedy are not themselves Muslim should not detract for a second from their journalism about Muslim majority neighbourhoods.

What is most worrying is that, increasingly, those charged with the responsibility to resist this creeping censorship and disguised segregation are quietly surrendering to its advocates. In many cases the reason is a fear of "causing offence". Yet, the job of the journalist is to tell the truth irrespective of the feelings of those involved, if there is a public interest.

But increasingly, the words "public interest" are being read as "opinion of a well-organised, well-funded, persistent and ruthless lobby".

Most disturbing of all is the near capture of the regulators – the bodies that should be protecting journalistic freedom from activist special interests, a process which Policy Exchange charts in its report. IPSO, the press regulator, should be in the forefront of defending freedom of expression; but the evidence presented suggests that it is well on the way to becoming the servant of a small, unrepresentative element of Muslim opinion. This cannot be right, either for British Muslims or for the media.

Editors who long for a quiet life should know that every time they throw one of their own to the mob, there will be a demand for yet more sacrifices. The report is a wake-up call to all those who imagine that a concession here and there will bring them peace. If we give way to the demands being made, the only people who will find themselves silenced will be those who want to tell the truth.

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Introduction

In late 2018, the Independent Press Standards Organisation (IPSO) announced that it had created "an informal working group" to help draft guidance for journalists on how to report on issues connected with Islam and Muslims.¹ Perhaps unsurprisingly, this statement received little attention at the time. Such an initiative was doubtless launched with the best of intentions – and there is nothing intrinsically wrong with IPSO producing guidance for newspapers and journalists.

But a closer look at this process raised cause for concern. IPSO stated that its working group/sub-committee brought together "academics who have research experience in relation to Islam and Muslims in the UK and representatives of organisations interested in the coverage of Islam [emphasis added]."² An obvious question is: who is on the working group/sub-committee? For a long time, IPSO refused to say; Policy Exchange was told this was "confidential".

This was perplexing for a number of reasons. First, IPSO is a public body. Why should it not reveal the names of those upon whose judgment it relies? Second, this matters especially when IPSO, as now, is stepping into contentious, political territory, populated by people with distinctively partisan agendas. It matters, therefore, who is making the running on this issue. Third, IPSO's history on this front is not encouraging. It has, in the past, recognised the highly problematic group, Muslim Engagement and Development (MEND) as "a representative body for the Muslim community".³ MEND, it should be remembered, was identified by former Assistant Commissioner of the Metropolitan Police, Sir Mark Rowley, as an organisation engaged in fostering a narrative of grievance and victimhood amongst British Muslims. It is not an 'honest broker'.⁴

On this occasion, IPSO appears to have eschewed any involvement with a group as unsuitable as MEND. And yet, there is cause for some disquiet. First, one of the leading figures on IPSO's sub-committee is Miqdaad Versi, the media spokesperson and former assistant secretary-general of the Muslim Council of Britain (MCB). Versi has, in recent times, emerged as an active campaigner on the subject of how Islam is treated in the mainstream British press.⁵ Indeed, he seems to see himself as the virtuous scourge of a corrupt and failing media establishment. (See below, section 2).

Second, there is evidence that IPSO has both compromised its independence and come close to going beyond its remit on this issue. Policy Exchange has discovered that sitting alongside Versi on the IPSO sub-committee are the academics Dr. Imran Awan (of Birmingham City

- C. Irwin, 'IPSO Blog: Our standards and monitoring work in 2019', 11 January 2019, https://www.ipso. co.uk/news-press-releases/blog/ipso-blog-ourstandards-and-monitoring-work-in-2019/
- C. Irwin, 'IPSO Blog: Our standards and monitoring work in 2019', 11 January 2019, https://www.ipso. co.uk/news-press-releases/blog/ipso-blog-ourstandards-and-monitoring-work-in-2019/.
- https://www.youtube.com/watch?v=v6AQ_ NMh08s.
- 'The Colin Cramphorn Memorial Lecture by Mark Rowley,' 26 February 2018, https://policyexchange. org.uk/pxevents/the-colin-cramphorn-memorial-lecture-by-mark-rowley/.
- Harriet Sherwood, 'Ipso: Mail Online wrong to use "Islamic honour killing" in headline', The Guardian, 20 July 2016, https://www.theguardian.com/media/2016/jul/20/ ipso-mail-online-wrong-to-use-islamic-honour-killing-in-headline.

University) and Dr. Michael Munnik (of Cardiff University), as well as Akeela Ahmed - Chair of the Cross-Government Working Group on anti-Muslim Hatred (CGWGAMH). Ahmed's role, in particular, is a cause of some concern. On the face of it, it compromises the independence of IPSO. In addition, the collaboration between IPSO and the CGWGAMH has been openly framed as being designed to "encourage sensitive reporting".⁶ This seems a remarkable point of departure for a Government body.

Documents and correspondence from the Ministry of Housing, Communities & Local Government show that on 30 April, the CGWGAMH held a meeting, part of which was attended by IPSO representatives. The records indicate that the Cross-Government Working Group was contributing to IPSO's guidance on Muslims and Islam, having been presented with the draft guidance, while also setting out the Working Group's own recommendations for "tackling Islamophobia in the press".⁷ Again, this framing seems to prejudge a particular kind of outcome. Notably the correspondence from that same meeting seems to show that the Cross-Government Working Group specifically sought to consult with IPSO on the Editors' Code. It is unclear whether this was with the intention of discussing amendment of the code, but if it were, it would represent a significant step, taking IPSO far beyond the simple production of 'guidance'.⁸

Finally, the 'guidance' emerging from IPSO's consultations is a source of real concern. As discussed below, this document seems designed to bind the hands of UK newspapers when it comes to reporting on stories relating to Islam and Muslims – with potentially serious long-term consequences for the workings of a free and independent press.

Government Plans Renewed Action to Tackle Hate Crime, Gov.UK, 5 July 2018, https://www.gov.uk/ government/news/government-plans-renewed-action-to-tackle-hate-crime

Freedom of Information Request documents from the Ministry of Housing, Communities & Local Government.

^{8.} Ibid.

1) IPSO's Guidance: Binding the Press with their 'Responsibilities'?

The attempt by IPSO to write specific guidance on how the press should approach stories that deal with Islam or Muslims is doubtless driven by the best of intentions. But, good intentions are rarely enough. And the draft 'guidance' for reporting on Islam and Muslims that IPSO has produced, and which has been seen by Policy Exchange is a troubling document. In several ways, it seems designed to bind the hands of British newspapers and fundamentally alter the way in which they operate in this space. A closer look at its content raises numerous questions as to what IPSO is trying to achieve and with what possible consequence.

Early on, the IPSO guidance document says that, "A free press exercising its rights to speak freely will, properly, produce a plurality of views, contributions to debate, and journalistic approaches, styles and practices." At first glance this might seem a rather banal statement yet how is it part of IPSO's remit to define what a free press "properly" is? Historically, the most effective investigative journalism (vid. Watergate, The Sunday Times Insight Team's work in the 1960s and 1970s, the Pentagon Papers, The Guardian's coverage of US cruise missile deployments in the 1980s, Spycatcher, Private Eye, Le Canard enchaîné, the coverage in The Times of the Rotherham sexual grooming affair, the Daily Mail's pursuit of the murderers of Stephen Lawrence and so forth) have not been the products of any spurious concept of "propriety" or "plurality of views". They were and are the creations of often difficult individuals committed to seeking out the truth - offensive, scurrilous, alarming, contentious, objectionable and annoying as that might be. Is it the job of IPSO to erect obstacles in the path of such individuals? Surely, a plurality of views in the press emerges from competition not regulation?

In similar fashion, we might recoil at IPSO's declaration that "A free press is responsive to many communities of readers and it is likely financially beneficial to the press to reach as wide a readership as possible. Producing accurate content which reflects the concerns of, and engages with, readers is key to reaching that broad readership. Engaging with community organisations is a vital part of seeking input and reflecting the perspectives of readers".⁹ Again, it is worth asking why IPSO feels entitled to remind the press of its 'obligations' to readers

 Guidance on Reporting Islam and Muslims in the UK (draft IPSO document). (with the implicit financial dimension)? Is it really true that the press must "reflect the concerns" of its readers? If readers don't like what a newspaper says, they can say so, stop buying it and – in cases where they have been libelled - sue. But proprietors and editors are hardly unaware of these dynamics and it seems odd, in this context to have IPSO policing their behaviour. Equally, what would be judged to constitute a "broad readership" and who would determine this? Is the suggestion here that it should be the concern of individual newspapers that they each reach a broad readership; or rather, across the free press do we expect a diverse range of publications to appeal to varying perspectives within society? Furthermore, is the reference here to the press being "responsive to many communities of readers" a suggestion that editors and journalists should seek to only publish content if it is likely to be to the tastes of all of these "many communities of readers"?

More noteworthy still is the call for engagement with "community organisations". Who are these groups? What is the basis for engagement? And to what end? It is not hard to guess which organisation someone like Miqdaad Versi – media spokesperson for the Muslim Council of Britain (MCB) and a key member of IPSO's sub-committee – might have in mind.

Soon after, the document seems to offer a partial answer to these questions in its suggestion that "levels of knowledge and awareness about Islam and Muslims in the UK vary significantly both within journalism and across the UK population as whole. This problem is made more challenging by a lack of diversity within UK newsrooms."¹⁰ We might legitimately ask, what does this all mean? Is this a suggestion that the only people who can talk about a subject are subject experts? That the only people who can talk about Islam and Islamic issues are Muslims? Is it not a decision for newspapers and broadcasters themselves as to whom they employ? What, in this context, is "diversity"? Diversity of gender, sexual identity, skin tone, ethnicity, belief, class, education, origin, political allegiance – what? Again, this seems to be a liberal sounding statement with illiberal consequences. Surely the most important 'kinds' of diversity for a newspaper are cognitive and intellectual: at their best, they should harness varieties of experience, skill and knowledge.

Of similar potential effect is the following line: "Journalists should be aware that their content can have an impact on the wider community and on how minority communities are treated. Inaccuracies and insensitivities can damage communities and prevents their accurate representation. They can also contribute to members of communities feeling divorced from, or misunderstood, by the media. Finally, inaccuracies and unbalanced coverage can work to increase tension between communities, which can make harassment more likely."¹¹ Do journalists really carry the kind of responsibility (and therefore presumably, obligations) being asserted here? Who defines these? Is not their only real commitment to reporting that which is newsworthy? Or indeed, to deciding their own obligations – in line with the editorial standards and policies of their newspapers?

 Guidance on Reporting Islam and Muslims in the UK (draft IPSO document).

11. Ibid.

It is arguable that best practice journalism should take account of community norms – but only as an aid to ensuring that information is widely available and well understood by all citizens. This should never be used as a mechanism to constrain what is reported or debated; and in particular journalists should be free of regard to the likelihood of offence, or the claim of offence.

Yet implicitly, IPSO's guidance document seems to be encouraging the media to tiptoe around issues to do with Islam; to be mindful of the "impact" that language can have on "communities"; and to ensure, above all else, that they do not "increase tension between communities" or "damage communities". In all of this, there seems to be a suggestion that journalists should take a different approach to covering Muslims than that employed towards other faith groups. This all seems remarkably ill-conceived. If we ruled out reporting on matters specific to Muslims not only would we miss some big issues – not least the threat from Islamist extremist terrorism, which continues to dwarf other global terrorist threats¹² – but we would also be unable to report properly on discrimination against Muslims.

More generally, we must ask: is it really the role of journalists to consider community cohesion before truth and accuracy? And what are the potential consequences of such an ethos? It is salutary here to note that the inquiries into the "Trojan Horse" conspiracy in Birmingham by Peter Clarke and Ian Kershaw respectively, both found that Birmingham City Council had been reluctant to tackle schools which were known to be problematic, precisely because they feared that such action might damage community relations.¹³ Similarly, Judge Richard Mawrey QC's scathing judgment in the case of Lutfur Rahman pointed to the way in which Rahman's opponents had been cowed by the fear that they would be labelled Islamophobic.¹⁴ Do we really want to export such timidity and apathy across the UK media? Surely, the risk of causing "offence" should never be a consideration in either reporting or comment?

Such questions are given added piquancy when one remembers that Islamist campaigners have specifically targeted some of the UK's foremost investigative journalists – such as Andrew Norfolk and Dominic Kennedy – denouncing them for their alleged "Islamophobia".¹⁵ Norfolk in particular has been singled out for relentless criticism by groups like MEND and Hacked Off.¹⁶

IPSO seems untroubled by such considerations. Rather, the momentum seems to be running in the opposite direction – indicative of the influence wielded by campaigners like Miqdaad Versi who have long argued that the press should only mention an individual's religion if it is "genuinely relevant". In such formulations, of course, the word "genuinely" is doing a lot of work. How "relevant" does religion have to be, before we are allowed to mention it? And who gets to determine this?

Inevitably, campaigners on this matter seem inclined towards a narrowly circumscribed view of "genuine relevance". Again, in this regard, it speaks volumes that they often appear to identify episodes like the Rotherham

- UK terror threat: How has it changed?, BBC News, 7 May 2019, https://www.bbc.com/news/uk-48185759
- Report into allegations concerning Birmingham schools arising from the 'Trojan Horse' letter, July 2014, https://assets.publishing.service.gov.uk/ government/uploads/system/uploads/attachment_ data/file/340526/HC_576_accessible_-.pdf; Investigation Report: Trojan Horse Letter (The Kershaw Report), https://www.birmingham.gov.uk/downloads/file/1579/investigation_report_trojan_horse_ letter_the_kershaw_report
- 14. Tower Hamlets mayor Lutfur Rahman is sacked for 'corrupt practices', the Telegraph, 23 April 2015, https://www.telegraph.co.uk/news/uknews/ crime/11559926/Muslim-mayor-is-sacked-for-corrupt-practices.html; The Times attacking efforts to tackle Islamophobia, 22 March 2018, https://www. mend.org.uk/news/times-attacking-efforts-tackle-islamophobia/
- The Times was criticised by MEND for "racialising" sex grooming. See, 'Times criticised for "racialising" sex grooming', MEND, 13 December 2012, https:// mend.org.uk/news/times-criticised-for-racialising-sex-grooming/.
- Response to Islamophobia at the Times, MEND, 26 June 2019, https://www.mend.org.uk/news/islamophobia-times/; https://www.mend.org.uk/news/ times-embarrassing-defence-allegations-structural-islamophobia/.

scandal, or the Trojan Horse Affair – paradigmatic instances where the work of investigative journalists shone a light on problems that might otherwise have been ignored – as examples of journalistic error. If one cannot mention the salience of religion and religious identity in such contexts, then where can one mention it?

2) IPSO's Guidance: Who are the Experts?

Perhaps the most troubling part of the IPSO guidance document is section 4, which speaks to "accuracy in reporting". Of course, newspapers should aim to be accurate in their reportage – and indeed, this constitutes Clause 1 of the existing Editors' Code of Practice. But IPSO's new guidance document seems to expand the definition of 'accuracy' in critical ways. For one thing, the injunction to avoid inaccuracy is conjoined with that of avoiding "misleading information". This immediately seems to take us into the realm of the subjective.

Moreover, the document goes on to suggest how journalists should approach their job (again, one might ask whether this is properly within IPSO's remit). They are told to do one, or all of the following:

- Provide contextualising information
- Present more than one opinion
- Verify the information from another source

All of which sounds rather banal and unproblematic – albeit that an immediate rejoinder might be that a balance of opinion does not always mean good journalism. If one is exposing say, a racist, sectarian, or antiscientific diatribe, is it necessary to provide the point of view of the racist, sectary, or obscurantist in order to ensure balance?

Still more troubling is the subsequent suggestion that, "Identifying the 'right' person to speak to can be extremely challenging and journalists should be aware that individuals and organisations may have different interpretations of a particular belief. Journalists may find it helpful to consider the expertise of the person/organisation, their background and any previous comments on the issues, in deciding who to approach for comment." Further down, in a box of "key questions", journalists are again told to ask themselves, "Does the person you are speaking to have the relevant expertise?"¹⁷

At this point, we should pause to consider: what does this all mean? Who are the experts and what is the "expertise"? Suggestively, the same section cites – as an example where things have gone wrong – a complaint brought to IPSO by Miqdaad Versi. Indeed, this is the only citation made in the whole document. Is this what is meant by relying on experts? Should newspapers be expected to carry a compulsory quote from Versi in

17. Guidance on Reporting Islam and Muslims in the UK (draft IPSO document).

every story? After all, as laid out below, that he has himself come close to demanding this right.

Moreover, it seems clear that the language of 'expertise' is performing a specific function here. An earlier draft of the IPSO guidance, also seen by Policy Exchange, talked not of "expertise", but rather "representativeness". This seems highly revealing. For it takes us back to the critical questions noted above: who gets to speak for Islam? Who should be judged authoritative to pronounce in its name?

Versi and the MCB, of course, have long insisted that this right devolves only to them – or to those of whom they approve. Newspaper editors have confirmed to Policy Exchange that this is a frequent line of complaint at least from Miqdaad Versi, who regularly objects to the quoting of Muslim X or Y, on the grounds that they are not properly "representative" of the faith. Again, it is Versi who arrogates to himself the right to make this determination. And in this way, the discourse of "representativeness" – or in another guise, "expertise" – serves as another vehicle by which such individuals and groups seek to patrol the boundaries of Islam – and to establish their own status as gatekeepers of Muslim communities.

We must surely pause to ask once again: why is IPSO facilitating this agenda? Why is it the job of the press regulator to act in this way? These questions and the others highlighted in this study, should be of real concern to all who are interested in preserving the workings of a free press.

3) Miqdaad Versi: A 'Tribune' for British Muslims in the Media?

In producing its guidance document it is clear that IPSO has leant heavily on the advice of Miqdaad Versi – a relentless critic of the mainstream UK press and a prominent member of the Muslim Council of Britain (MCB). The Government refuses to engage with the MCB because of unresolved concerns about its association with extremism; this has not stopped IPSO from engaging with Versi in an official capacity, as a member of the MCB.¹⁸

Over the last few years, Versi has brought a succession of complaints to IPSO about the way leading newspapers have covered stories that touch on Islam.¹⁹ Repeatedly, he has identified what he claims are violations of the Editors' Code of Practice – specifically, Clause 1 (on accuracy) and Clause 12 (on discrimination).²⁰ Yet whereas one might imagine that this would mean challenging factual errors – of the kind that are sometimes unavoidable in rapidly-delivered newspaper coverage of often fast-moving events – it is clear that Versi routinely seeks to patrol the boundaries of interpretation.

A particularly revealing case, for example, was the complaint brought against the Daily Mail by Versi in 2018. At issue was an article entitled 'Powder Keg Paris', which reported on the situation in the north Parisian departement of Seine-Saint-Denis, drawing on both a French parliamentary report on the subject and the experiences of a reputable investigative journalist who had spent several days in the area. Central to Versi's complaint was the assertion that the journalist had "**misinterpreted** what he had seen during his visit to Seine-Saint-Denis to fit a false and damaging narrative [our emphasis]". One might reasonably wonder as to what evidence Versi had for this claim—or indeed his own expertise on the matter. Yet as the details of the complaint and IPSO ruling make clear, Versi repeatedly challenged the veracity of the story as provided by the journalist – without any clear or compelling evidence for so doing, or explaining in other ways why he believed the story was inaccurate. For instance, IPSO's records state that:

The complainant [Versi] disputed the journalist's claims that "Arabic is more useful than French" in the area; that "other faiths and religious are being driven from the area"; that many of the "drug dealing by gangs" were Muslim; and that "when helicopters flew overhead in training for Bastille Day celebrations earlier this month, one man pretended to shoot at them with a machine gun. Another

See, for instance, the MCB's July 2019 newsletter, which states that Versi attended IPSO meetings on behalf of the group: https://mailchi.mp/mcb/e-newsletter-may2019-464497?e=fba5f02bf4

S. Subramanian, 'One man's (very polite) fight against media Islamophobia', The Guardian, 18 October 2018, https://www.theguardian.com/news/2018/ oct/18/miqdaad-versi-very-polite-fight-against-british-media-islamophobia.

See, for example, https://www.ipso.co.uk/ rulings-and-resolution-statements/ruling/?id=05228-18.

pushed him away and pretended to fire a shoulder-mounted missile, tracing the missile with his hand towards its targets and shouting: 'Boom!' Everyone laughed". The complainant also disputed that the journalist had seen a woman "walking in full face veil", as claimed by the journalist, and that the women that he saw shopping were "always accompanied by male relatives".²¹

In the circumstance it is curious that Versi's challenge to the journalist's account should – absent any compelling factual counter-evidence of his own – have been given a hearing? Perhaps more importantly, as the terms of the complaint make clear, what was largely at stake here was a question of interpretation. Leaving aside a dispute over some statistics included in the story – themselves susceptible to varying interpretations, what Versi most objected to was the journalist's reading of the situation that he found in France. Versi thus claimed that the article had breached both Clause 1 (Accuracy) and Clause 12 (Discrimination) of the Editors' Code of Practice.

IPSO, while rejecting Versi's complaints as to the journalist's personal reportage, found the Daily Mail to be in partial breach of its code – relating entirely to the statistics included in the report – and the newspaper was forced to make a partial correction to its story as follows:

A July 28 feature about a Paris suburb which was the subject of a French parliamentary report said that up to 300,000 illegal immigrants lived there and referred to it throughout as Saint Denis. In fact, the suburb is called Seine-Saint-Denis, in which the smaller commune of Saint Denis is situated, and the report referred to estimates of 150-400,000 illegal immigrants. The article also said 1,700 jihadists are believed to have returned after fighting for IS. This is in fact the number of people understood to have left France - not Seine-Saint -Denis – to join IS. The claim that the suburb is home to '350 known jihadis' was based on comments of an anonymous official who told another publication that there are about '30 possible terrorists living in this area and about 300 extremists who would support them', and there are no official figures for the number of jihadis there.We are also happy to clarify that the reference to 160 'mosques' should have been to 'mosques and prayer rooms'; the French veil ban was introduced for reasons of security as well as integration; [Name] was murdered in a different part of Paris; [Name] no longer works at French anti-Islamophobia group CCIF; and [Name] is a teacher, not a professor. We apologise for any confusion.

At first glance, such errors might appear significant. Yet when placed within the context of the original article, they have little bearing on the overall thrust and meaning of the article. On issues such as the number of jihadists who had returned from Iraq/Syria (1,700), any fair-minded reading of the article would probably have accepted this as relating to France as a whole, not just Seine-Saint-Denis. The other clarifications again turn on questions of interpretation, or minor errors that do not undermine the wider meaning.

Despite this, of course, Versi has heralded the IPSO finding as a great triumph.²² And significantly, the Mail's original article has been removed online.²³ In this way, it marked another triumph for Versi and his ambition

 ^{&#}x27;05228-18 Versi v Daily Mail', IPSO, 23 January 2019, https://www.ipso.co.uk/rulings-and-resolution-statements/ruling/?id=05228-18.

^{22.} See, for example, Versi's Twitter thread of 6 February 2019, available at https://twitter.com/miqdaad/statu s/1093062764380200960?lang=en-gb

Daily Mail removes 'Powder Keg Paris' report after complaints, the Guardian, 6 August 2018, https:// www.theguardian.com/media/2018/aug/06/dailymail-removes-powder-keg-paris-report-after-complaints

to be in effect recognised as the arbiter of what the media can/cannot say about Islam and Muslims – in this case, even Muslims who reside beyond the UK's borders.

Lest there be any doubt that this is indeed how Versi wishes to be seen, the terms of a complaint he launched in late 2016 made it explicit. On that occasion, he challenged a Daily Express story about the extent to which Muslim-majority countries had joined the coalition against ISIS (again, note, a subject of no direct consequence to Muslims resident in the UK). According to IPSO, the terms of Versi's complaint stated:

that Clause 1 (iii) of the [Editor's Code of Practice] had been breached because the publication had not offered him a right to reply. **He [Versi] said that he should have the right to reply in relation to all inaccurate reporting of Muslims or Islam**, not least because of his personal work pursuing complaints on such matters, as well as his role as Assistant Secretary General at the Muslim Council of Britain [emphasis added].²⁴

It is striking that while IPSO did not accept Versi's self-appointed status, they nonetheless upheld the substance of his complaint and the newspaper agreed to print a correction. It was, in short, another victory for him against sections of the mainstream media.

More broadly, Versi's modus operandi with the media seems to make himself a persistent complainant to newspaper editors. He contact them continuously on any, and every story that touches upon Islam – demanding changes and threatening complaints to IPSO if his demands are not met. Where he deems newspapers to be insufficiently compliant, he initiates IPSO complaints. This strategy seems to have proven pretty successful so far. One editor has acknowledged to Policy Exchange that he often acquiesces to Versi's complaints – if for no other reason than for the sake of a quiet life.

In recent months, moreover, it seems clear that Versi has sought to amplify the extent of his influence. The MCB have, for instance, set up 'training' programmes, to encourage British Muslims to lodge complaints against the UK press, as a matter of course.²⁵ July 2019 saw the formal launch of the MCB's own 'Centre for Media Monitoring' (CfMM), of which Versi is (inevitably) the Executive Director.²⁶ The self-declared mission of this body is "to highlight negative trends in the media as well as promote good practice" surrounding the reporting of Islam and Muslims in the UK.²⁷ Its first quarterly report, State of Media Reporting on Islam & Muslims, claimed that in the period October-December 2018,

- 59% of all newspaper articles associated Muslims with negative behaviour
- 37% of articles in right-leaning and religious publications were categorised with the most negative rating of "very biased"
- Over a third of all articles misrepresented or generalised about Muslims
- Terrorism was the most common theme.²⁸

- 24. Decision of the Complaints Committee 13416-16 Versi v Express.co.uk, https://www.ipso. co.uk/rulings-and-resolution-statements/ruling/?id=13416-16
- Muslims in the Media: Changing the Narrative, Eventbrite, https://www.eventbrite.co.uk/e/muslims-in-the-media-changing-the-narrative-cravenarms-tickets-63488364407; https://cfmm.org.uk/ team-miqdaad-versi/
- 'Launch of the Centre for Media Monitoring', MCB, 10 July 2019, https://mcb.org.uk/press-releases/ launch-of-the-centre-for-media-monitoring/.
- 27. 'About us', Centre for Media Monitoring, https://cfmm.org.uk/about-us/.
- State of Media Reporting on Islam & Muslims, Centre for Media Monitoring, https://cfmm.org.uk/wp-content/uploads/2019/07/CfMM-Quarterly-Report. pdf.

All of which sounds alarming. Except for the fact, of course, that the CfMM report omits any socio-political context for these findings – such as the surely relevant fact that this period has seen a major and sustained security threat to the UK from groups that claim to act in the name of Islam. In addition, the methodology of the report, for all that it is framed with an academic veneer and has been given some academic approval, is far from scientific. As *The Guardian* revealed, "Although the methodology has been vetted by external academics, the [MCB] admits that the classification of exactly what counts as an anti-Muslim story will ultimately be a subjective decision."²⁹

It seems clear from the CfMM report itself, moreover, that 'anti-Muslim' was interpreted in the broadest possible fashion. For example, it devotes almost three pages to Joanna Lumley on the basis of one comment made during her ITV documentary about the Silk Road. During that programme Lumley visits Kyrgyzstan and simply comments: "This is a mainly Muslim country, but its communist legacy gives it a much less strict Islamic feel."³⁰ Despite conceding that "In the context of the documentary there is nothing to suggest a sinister attitude towards Islam" on Lumley's part, she is nevertheless included in the CfMM report and as such censured for the remark.

Elsewhere, the report takes issue with one press article that mentioned Ayatollah Ruhollah Khomeini's Islamic credentials. Might it not be accepted that far from being irrelevant, extraneous and anti-Muslim information, this is quite important for the man who led a self-proclaimed Islamic Revolution, created the Islamic Republic and based his authority and that of his successors on the heterodox but undeniably Islamic doctrine of the Guardianship of the Islamic Jurist (wilayat al faqih)? On a related note, the description of Iran as a "state sponsor of terrorism" is described as anti-Muslim bias. Yet this is merely a statement of fact, as confirmed by the US State Department.³¹

This approach seems to be common amongst those most inclined to complain about the media's purported anti-Muslim bias. Tahir Abbas, for example, in an article for Middle East Eye - an outlet that routinely offers a sympathetic perspective on Islamism - lamented the tide of Islamophobia in the media and wider society, whilst complaining about the "witch hunts" of the Trojan Horse conspiracy and the case against Lutfur Rahman. Such statements simply ignore the highly detailed judicial and administrative inquiries conducted into these episodes, and which showed very real problems. These were not the confections of an intrinsically Islamophobic press. Surely, it must be accepted that "negative stories" pertaining to Islam, are only unjustifiable if the negativity arises from prejudice not facts or justifiable interpretation. Abbas, however, like the CfMM report, makes no effort to distinguish between what might be considered fair, and what is unfair.³² Instead, the assumption is that any negative story about Islam or Muslims is evidence of prejudice (and can therefore be included in the collection of alarming-sounding statistics about the scale of anti-Muslim bias).

- State of Media Reporting on Islam & Muslims, Centre for Media Monitoring, https://cfmm.org.uk/wp-content/uploads/2019/07/CfMM-Quarterly-Report. pdf
- State Sponsors of Terrorism, US Department of State, https://www.state.gov/state-sponsors-of-terrorism/
- 32. Tory Islamophobia is rampant and the party is in denial, Middle East Eye, 12 July 2019, https://www. middleeasteye.net/opinion/tory-islamophobia-rampanty-denial

Jim Waterson, 'Most UK news coverage of Muslims is negative, major study finds', The Guardian, 9 July 2019, https://www.theguardian.com/news/2019/ jul/09/most-uk-news-coverage-of-muslims-is-negative-major-study-finds.

To return to the CfMM report, it is also worth noting that it condemns a piece by a Muslim woman, Qanta Ahmed, which challenged the Islamic doctrinal or jurisprudential basis of the niqab. For this, she was deemed to have engaged in anti-Muslim bias. Yet how can this be so? Is this not precisely an example of the dangers posed by efforts to create an expansive definition of terms like 'Islamophobia' – that actually, it is used to shut down legitimate debate, even among Muslims, about what constitutes normative Islamic practice or what practices might be usefully challenged or reformed?

It would be tempting to argue that such obvious absurdities do not matter, but for the fact that the man behind this report – Miqdaad Versi – appears to have been given a central role in helping to shape IPSO's views on how one should report stories about Islam and Muslims. Last year, Sir Alan Moses, the Chairman of IPSO told the House of Commons Home Affairs Select Committee that he spoke to Versi "a great deal" on these issues and praised his "very important and valuable work".³³ The creation of a specific sub-committee to consider coverage of 'Islam' and 'Muslims' appears to mark the formalisation of IPSO's relationship with the media spokesperson of the MCB.

First, we must surely ask: on what basis should Versi be given this role? His professional background is in financial services and banking.³⁴ This scarcely seems to mark him out as an authoritative spokesperson for UK Islam (even assuming such a person could exist). By what process, then, was Versi selected to participate in IPSO's sub-committee? Public bodies need to be entirely transparent about whom they choose as members or advisers. That this has not happened in this case gives legitimate cause for concern.

These questions are not of mere academic interest. On the contrary, they are of singular importance because of what they reveal about IPSO. They raise the possibility that this body has been subject to "regulatory capture", with activists like Versi, whose public profile is built on making complaints against the media, now deeply involved with journalistic regulation. The same people who have been relentless in applying pressure to editors and IPSO are, it would seem, being given licence to define how newspapers should behave henceforth; they will then be in a position to use these parameters to amplify their campaigns against the media and police journalistic output. Of course, there is nothing wrong with IPSO seeking the views of people like Versi - perhaps asking them to submit evidence. But why should they be given the job of deciding the outcome? Is this not rather like asking the plaintiff to act also as judge? And are the consequences of such a situation, for freedom of speech and the press in the UK, not likely to be profound - not least if it means that the same worldview that contributed to the above-cited MCB/CfMM report, is now effectively to be applied by IPSO to the mainstream press? Worryingly, the signs are not good.

^{33.} House of Commons, Home Affairs Select Committee Hearing, 'Hate crime and its violent consequences', HC 643, 20 February 2018, http://data. parliament.uk/writtenevidence/committeeevidence. svc/evidencedocument/home-affairs-committee/hate-crime-and-its-violent-consequences/ oral/78630.html.

^{34.} One man's (very polite) fight against media Islamophobia, the Guardian, 18 October 2018, https:// www.theguardian.com/news/2018/oct/18/miqdaad-versi-very-polite-fight-against-british-media-islamophobia

Conclusion: Whither IPSO and the Free Press?

Taken as a whole, the IPSO guidance document seems to mark a decisive shift in the purpose of the regulator – which takes it beyond considerations of accuracy or discrimination, as per the Editor's Code. Instead, it is moving into the realm of "insensitivities" and "unbalanced coverage" – elastic and subjective terms. Yet as recent judgments suggest, IPSO seems determined to extend its own role as the judge of what should be considered appropriate for the British press. Increasingly, rather than merely seeking to adjudicate complaints on the basis of whether or not they are valid on a strict reading of the editorial code, IPSO has taken to commenting on whether stories are 'distasteful' when the only real measure should be true or false. It is evolving from regulator into arbitrary censor, a sort of C21st Lord Chamberlain, increasingly under the influence of dedicated campaigners like Versi.

Rather than seeing its role as being that of impartial adjudicator, overseeing the implementation of an agreed editorial code, IPSO appears more and more activist in intent, seeing its role as that of the idealistic defender of an "oppressed" community (in this case, Muslim), taking on the powers of the nefarious press barons. Is this the role that we, as a society, want IPSO to play?

IPSO's mandate, as currently conceived, gives it the job of protecting individual rights, rather than promoting a collective right of complaint. Yet it seems all-too inclined to concede ground to campaigners like Versi who claim to represent a 'community'. It is unclear how this 'community' has constituted itself or how someone like Versi, or the MCB more broadly, have been appointed to represent it. It is also unclear what right Versi has in law to make such claims. Yet by refusing to question Versi's position, by setting up the informal Muslim advisory group, and preparing draft guidance for its operation, IPSO appears simply to accept them at face value. This has resulted in the creation of an increasingly complex intermediary structure between IPSO and individuals - Muslim or not - who might be offended by press reporting of Islam, Muslims or Islamism. There is no equivalent structure for other notional communities with grievances regarding media representation. Indeed the very idea seems absurd (the Film Star Council of Britain? The Christian, Hindu, Sikh or Buddhist Council of Britain?). And it runs against the fundamental principle of individual rights and redress.

Muslims are as varied as any other cohort of the British population. They will hold diverse opinions -- as Muslims (from devout to undevout, jurisprudentially Maliki to Hanbali to Salafi to Ja'afari, liberal to conservative, Ash'ari to Sufi and so forth); as citizens (Labour, Lib-Dem, Conservative, Green, SNP, Plaid Cymru and so forth); and as individuals (male/female, married/single, gay/straight/non-binary, Manchester United/Manchester City and so forth). And they will differ on what they find and do not find offensive and what if anything should be done about that. The issues about which Versi in particular complains need to be treated not as concerns simply for the archetypal Muslim whom he claims to represent but for the wider national community. Any response needs to take into account this broader balance, to be treated on its merits and seen as impinging on named individuals not an invented community.

We might ask, too, what are the consequences of all this for the way the media operates? Already, there are signs that it is taking a toll on the way the press behaves. A number of editors and journalists have testified privately to the "chilling effect" that has already occurred, in relation to subjects that touch upon Islam. They know that publishing certain stories carries a cost; some therefore prefer to follow the path of least resistance and engage in a degree of "self-censorship". This is deeply troubling. Of course, one wants the media to report truthfully – and to avoid the dissemination of 'fake news'. But equally, a genuinely free press requires that there be a spirit of free inquiry, which does not place certain subjects 'off limits'. Setting aside the controversies aroused by the way IPSO has handled certain stories that have appeared in the public domain, the question is: what stories have been set aside, or otherwise discounted, on the grounds that pursuing them brings too much trouble?

To give but one example of what this can mean in practice, certain press outlets refrained from including in their coverage of the Christchurch, New Zealand terrorist attack, the fact that the killer had mentioned Sadiq Khan's name in his manifesto. They did so, according to at least one senior editor, on the grounds that they did not want to be accused of facilitating an Islamophobic, white supremacist agenda. Yet in this case, readers were denied a fuller understanding of what motivated a far-right terrorist attack, because of the concern that such disclosures might be mistaken for 'Islamophobia'. Should such confessions not prompt disquiet about the way the media is having to operate? And is there not a danger that something important is being lost here?

The existing IPSO regime does – for all that its critics charge to the contrary – impose proper limitations on newspapers. Editors hate publishing IPSO-mandated corrections, revealing to readers that they made a mistake. Inevitably, this mandates a degree of caution – all the more so, in a social media age when alleged infractions are immediately broadcast in lurid tones (and often in misleading form). As editors privately admit, the possibility of a social media "pile on" with the resulting hysteria and opprobrium – with the knock-on threat to advertising – is already sufficient to encourage discretion, rather than journalistic risk taking. How much

more would this tendency be encouraged by the release of a guidance document, of the kind produced thus far by IPSO?

Furthermore, it is worth asking whether such 'guidance' will, in itself, satisfy the longer term demands of the most vociferous critics of the UK press – or conversely, whether this will be 'banked' as a useful concession on the road towards yet further restrictions on media freedom? Again, there are reasons for caution. Activist groups like Versi's MCB, in addition to MEND, have long called for changes to the Editors' Code of Practice, such that it would prohibit discrimination against **groups** of people – as well as **individuals** (at present, it rules out only the latter).³⁵ 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.

Such warnings might seem hyperbolic but there is a wider context that matters here. Since late 2018, the All-Party Parliamentary Group (APPG) on British Muslims has been calling on the Government and public bodies to adopt an inherently flawed and deeply illiberal definition of 'Islamophobia'.³⁶ The last Government refused to embrace the definition – noting in particular its likely detrimental impact on Counter-Terrorism policies, as well as media freedom. Yet it is clear that advocates of the APPG definition have not given up. And amongst those who have publicly supported the definition one can find several members of the IPSO subcommittee: Dr. Imran Awan, Dr. Michael Munnik and Akeela Ahmed.³⁷

Ahmed, as described above, is the Chair of the Cross-Government Working Group on anti-Muslim Hatred. She is also a firm advocate of the APPG's definition. Ahmed herself submitted written evidence, focused in part on the presence of "Islamophobia" within the British media, to the APPG 'inquiry' that produced the definition in question; her testimony was cited on several occasions in the resulting report; she offered support to the APPG's work during a television interview; and Ahmed was a speaker at the event in Parliament at which the APPG launched its report and definition.³⁸

Against this backdrop, one might ask whether the IPSO 'guidance' process is being used to advance the kind of "anti-Islamophobia" agenda promoted by the APPG on British Muslims – effectively the 'definition' by other means – despite the fact that the Government has deemed that definition not fit for purpose. The possibility is made all the more striking by the fact that the APPG's report cited Ahmed as calling for a "definition [of Islamophobia] with legal power", making the case that this could then be "implemented by the government and the police."³⁹ (An argument that may appear at variance with numerous claims made by APPG members in the months since their report was published that they never suggested a legally-binding definition of Islamophobia – manifestly they did.)

As Policy Exchange has previously pointed out, one of the things that makes the APPG's attempts to institutionalise an illiberal definition of Islamophobia so unpalatable, is the fact that it resembles a form of blasphemy law, protecting Islam specifically, implemented by the

- 35. Briefing for IPSO: Reporting on Islam and Muslims in UK press, the Muslim Council of Britain, https://mcb. org.uk/wp-content/uploads/2018/10/Briefing-document-for-IPSO-Standards-on-reporting-of-Islamand-Muslims-19.07.18.pdf; For MEND, see 'Parliament hears evidence detailing growing problem of Islamophobia in the media and the powerless nature of regulators', MEND, 22 February 2018, https:// mend.org.uk/news/parliament-hears-evidence-detailing-growing-problem-islamophobia-media-powerless-nature-regulators/.
- 36. For systematic analysis of that definition and why it is problematic, see the work of Policy Exchange at: https://policyexchange.org.uk/wp-content/uploads/2018/12/Defining-Islamophobia.pdf; and https://policyexchange.org.uk/wp-content/uploads/2019/07/On-Islamophobia.pdf.
- Open Letter on Islamophobia, Runnymede Trust, May 2019, https://www.runnymedetrust.org/blog/ open-letter-on-islamophobia; MCB letter to Theresa May, December 2018, https://mcb.org.uk/wp-content/uploads/2018/12/Islamophobia-Definition_ JointLetter_1December2018-PM.docx.pdf.
- Akeela Ahmed, Facebook, November 2018, https://www.facebook.com/akeela.ahmed/ posts/10155577678945216
- Islamophobia Define, the APPG ON British Muslims, November 2018, https://static1.squarespace.com/ static/599c3d2febbd1a90cffdd8a9/t/5bfd1ea-3352f531a6170ceee/1543315109493/Islamophobia+Defined.pdf

back door.⁴⁰ This has a long history; and one not confined to the UK. The Organisation of Islamic Cooperation (OIC) has long pressed for a concept of "defamation of religions" to be enshrined in international law through the UN. For around a decade, with Pakistan in the lead, this issue was repeatedly brought before the UN General Assembly and the UN Commission on Human Rights and its successor, the UN Human Rights Commission. It was promoted through the deeply flawed and partisan Durban II and Durban III processes.⁴¹

Unsurprisingly, Western democracies resisted strongly on the grounds that defamation of religion could - and almost certainly would - be used to limit freedom of expression, as it already was in certain mainly Muslimmajority states.⁴² Yet some of the draft language proposed at the UN finds echoes in the language used by both the APPG and IPSO when trying to develop its guidance. With regards to the former, it is clear that this is not entirely coincidental. In late 2018, just prior to the release of its report on Islamophobia, the APPG on British Muslims organised a workshop on "Muslim Communities" in conjunction with the OIC.⁴³

Against this broader backdrop, it is surely worth asking whether IPSO has fully considered the implications of its effort to produce 'guidance' for journalists in this area. The initiative seems all the more imprudent when one considers that the current Chair of IPSO, Sir Alan Moses, is in the final months of his tenure. Is there not a danger that in the rush to be seen to be "doing something" on alleged anti-Muslim bias in the media, he risks binding the hands of his successor, bequeathing a problematic legacy? Beneath the declarations of high-minded intent, there is much at stake with the 'guidance' document. IPSO is wading into contentious waters; the free media risks being swept away by the tides.

- See https://policyexchange.org.uk/wp-content/uploads/2019/07/On-Islamophobia.pdf.
- 41. Report of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance: Durban, 31 August - 8 September 2001, http://www.un.org/WCAR/aconf189_12.pdf; 'Secretary-General Kofi Annan, Addressing Headquarters Seminar on Confronting Islamophobia, stresses Importance of Leadership, Two-Way Integration, Dialogue', United Nations (UN), 7 December 2004, http://www.un.org/press/en/2004/sgsm9637. doc.htm. On the role of the OIC, in bringing about this outcome, see H. O. Schoenberg, 'Demonization in Durban: The World Conference Against Racism', American Jewish Yearbook (2002), pp. 85-111, http://www.staff.city.ac.uk/p.willetts/NGOS/ WCAR/SCHOENBG.PDF.
- P. Goodenough, 'Criticism of Obama's OIC Envoy Raises Questions About the Need for Such a Post', CNS News, 24 February 2010, https://www.cnsnews.com/news/article/criticism-obama-s-oic-envoy-raises-questions-about-need-such-post.
- OIC Organizes Workshop on Muslim Communities in the United Kingdom, Organisation of Islamic Cooperation, November 2018. https://www.oic-oci.org/ topic/7t_id=20324&ref=11599&lan=en



£10.00 ISBN: 978-1-910812-89-1

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