# UNMASKED

THE
REVEALING
RESPONSE TO THE
UNMASKED
REPORT

ANDREW NORFOLK,
THE TIMES NEWSPAPER AND
ANTI-MUSLIM REPORTING
— A CASE TO ANSWER

A REPORT BY BRIAN CATHCART AND PADDY FRENCH | JUNE 2019

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**BYLINE** 

**Press Gang** 



News item, 27 June 2019

### Times defends its reporter after 'anti-Muslim' charge

#### Matthew Moore, Media Correspondent

The *Times* has strongly defended its reporting after criticism from the founder of an anti-press campaign group.

Brian Cathcart, professor of journalism at Kingston University, released a report yesterday challenging the accuracy of three series of articles published in 2017 and last year. He accused the Times of "anti-Muslim reporting".

The articles were written by Andrew Norfolk, the award-winning chief investigative reporter who uncovered the Rotherham child grooming scandal.

Norfolk won the Orwell Prize for journalism and the Paul Foot Award in 2013 for his two-year investigation into the exploitation of teenage girls by gangs of men, who were mostly from the town's Pakistani community.

Theresa May praised his reports exposing widespread sexual abuse of vulnerable young women in the north. They resulted in an increase in prosecutions and a new national action plan to tackle child exploitation.

Two of the articles highlighted by Professor Cathcart were the subject of rulings from Ipso, the

independent press regulator. The *Times* published a front-page correction in May last year after an adverse ruling by Ipso over coverage of a family court in the case of a Christian girl placed with Muslim foster carers. The regulator required no action in relation to a second story about death threats against an MP who had condemned sex grooming gangs, after a misleading headline was quickly corrected.

Professor Cathcart is the co-founder of Hacked Off, the press reform campaign group, and has been an out-spoken critic of newspapers. His work at Kingston University, in southwest London, has been part-funded by donations from family trusts connected to Max Mosley, the former F1 boss.

A spokeswoman for the *Times* said: "We abide by the Independent Press Standards Organisation (Ipso) and the Editors' Code of Practice that Ipso enforces. We are legally responsible for what we publish and therefore we take great care to report accurately. If we are found to have made errors we correct them swiftly and run any Ipso adjudications prominently in our editions."

#### **UNMASKED - WHAT HAPPENED NEXT**

In late June we published UNMASKED, a 66-page report analysing three series of articles published by the chief investigative reporter of the *Times*, Andrew Norfolk. It showed in detail that all three series were fundamentally wrong, that Norfolk's conduct in researching and writing them breached what we consider normal ethical journalistic standards, and that the reports tended to represent Muslims as threatening without justification. We also identified serious editorial failures at the *Times* and failures to uphold standards by the press complaints-handling body IPSO. We called on the *Times* to commission an independent investigation into what went wrong and who was responsible.

The *Times* responded by publishing a news report and a leading article. IPSO published a blog. These are analysed in these pages. In summary, although neither organisation was able to identify a single inaccuracy in our report they entirely refused to reflect on the failures described or to consider doing anything about them. We conclude from this that Norfolk, the *Times* and IPSO are unable to dispute the detailed criticisms set out in UNMASKED. Their responses, in other words, confirm their guilt.

Another striking aspect of the response is that no other national news organisation and no journalist reported the very serious allegations we made, even in the briefest form. The implication of this, as we see it, is either that executives and senior journalists at these organisations see nothing reprehensible in the conduct of Norfolk and the *Times* or that they are sufficiently unconcerned by the scandal that they feel no need to alert their readerships and audiences. Whichever is the case, they make themselves complicit in wrongdoing.

UNMASKED was several months in preparation – it is no simple matter researching the background to three complex series of news stories, unpicking the reporter's decision-making, analysing the actions of editors and then fully verifying what we found. In April we wrote to Norfolk and to *Times* editor John Witherow setting out our provisional findings and seeking their comments. They didn't take up the offer. We published on Wednesday, June 26, with five organisations supporting and promoting our work: Mend (Muslim Engagement And Development), Hacked Off, the Media Reform Coalition, Byline.com and Press Gang.

Alongside online publication, a printed version of UNMASKED was distributed widely. At Parliament all 650 MPs received it, including then Prime Minister Theresa May and Opposition leader Jeremy Corbyn, as did well over 100 members of the House of Lords who have an interest in media matters. More than 200 news executives and leading journalists received copies, at organisations such as the BBC, ITV, Channel 4, LBC, the *Guardian* and the *Financial Times* – as well as at News UK, the *Times*'s owners. There, the report went to Rupert Murdoch and to directors of Times Newspapers Ltd, as well as to News UK chief executive Rebekah Brooks, *Times* editor Witherow.

Norfolk, the Times and IPSO are unable to dispute the criticisms in UNMASKED

leading columnists and writers at the paper, and of course Norfolk. Since publication many more copies have gone out to official bodies, charities, overseas news organisations and other potentially interested parties.

We weren't expecting widespread coverage — though national news journalists like the public to believe they are fierce rivals, in practice they are notoriously reluctant to report each other's wrongdoings. But we were determined to ensure that leading people in the industry were at least aware that a serious scandal existed at the *Times* — and that key opinion formers in other fields knew of it too. In the event, the major broadcasters and national newspapers chose to ignore the report — with one exception: the *Times*. To our surprise, it took an initiative that helped spread knowledge of our work more rapidly and more widely than we had hoped for: it published a news report and denounced us in a leading article.

#### The Times's news report (See page 2)

Matthew Moore, the paper's media correspondent, published an article headlined 'Times defends its reporter after "anti-Muslim" charge'.

Moore's report is notable for these reasons:

- 1. It fails to identify the report by name, let alone to provide a link to it, and it names only one of the authors, Brian Cathcart.
- 2. Nowhere does it acknowledge that all three series of front-page articles were fundamentally wrong.
- 3. Nor does it make any reference to the catalogue of journalistic failings we presented, such as relying on untrustworthy sources, omitting inconvenient information and misusing quotations failings that implicate both Norfolk and the *Times* editorial management.
- 4. It presents as a defence of the *Times* that it has been the subject of an adverse ruling by IPSO while failing to address or even mention the grave criticisms of IPSO contained in UNMASKED.
- 5. While ignoring most of the content of the report, it takes time to link Cathcart irrelevantly with Max Mosley.





### **Press Gang**

## Politically motivated campaigners are trying to smear and suppress fine reporting

The *Times* journalist Andrew Norfolk has become the target of an extraordinary personal attack. A 72-page pamphlet, co-authored by a founder of the campaign group Hacked Off, accuses Norfolk of writing articles that "tended to encourage fear of Muslims", and of breaching standards of professional conduct and ethics. This is a mischievous and ideologically motivated attempt to smear a reporter long recognised as one of the bravest and most scrupulous in his field.

The attackers have form. When Norfolk revealed for the first time the systematic sexual abuse of white teenagers by men of mainly Pakistani background in Rotherham and other northern towns, he also revealed the complicity of social workers, police and local councillors who failed to stop the grooming. They failed for fear of being accused of racism. That fear proved deeply entrenched.

Norfolk's work was eventually honoured with the Orwell Prize, the Paul Foot Award and with journalist of the year awards, but not before it had been fiercely disparaged by groups determined to recast the story in terms of Islamophobia. Norfolk's critics fell silent only when overwhelming evidence emerged in the press, courts and public inquiries that forced the country to confront a deeply rooted pattern of criminal behaviour with a clear ethnic component.

This week's report focuses on three stories covered by Norfolk in 2017 and last year. All concerned matters of significant public interest. Two examined possible failures of care by local authorities while the third considered the conduct of a charity. Two articles were the subject of complaints to the Independent Press Standards Organisation (Ipso), the regulatory body to which the *Times* belongs.

Ipso properly declined to consider complaints that were politically motivated and from people in no position to know the facts. Complaints from interested and informed parties — a local authority and the charity — were investigated by Ipso's complaints committee. The *Times* was found to have breached the Editors' Code on one point in each case; other points of complaint were dismissed. The *Times* accepted the regulator's decisions and took the remedial action required.

The groups behind this latest attack on Norfolk are campaigners for what they tendentiously call "reform" of the media. By this, they mean statutory regulation and the suppression of content at odds with their own narrow agenda. Implacably hostile to independent selfregulation embodied by Ipso, most would force the press to sign up instead to the state-approved regulator Impress, funded by Max Mosley. In the words of one contributor to the new report, to criticise their thinking — in opinion columns or in a leading article such as this — is to provide "an editorial bedrock for news reporting that characterises Muslims as extreme, intolerant and threatening [and to] support it as brave and necessary even when it takes place against a background of rising hate crime". That argument is as false as it is dangerous.

Though the authors hedge their invective with caveats, the intent is clear. It is to deter and hamstring journalists from investigating controversial stories. In an era when news risks being obscured by propaganda, it is vital that sensitive issues be debated rather than suppressed. Above all, honest reporting needs defending. We unhesitatingly defend it in the case of our own reporters, on whom our readers are entitled to rely.

- 6. It perpetuates Norfolk's inaccuracies, for example by referring to the child in the 'Muslim foster care' articles as 'Christian', when that is not an accurate description of a child who has never attended church and has been largely brought up by practising Muslims in a Muslim country.
  - 7. It claims incorrectly that the *Times* 'quickly corrected' Norfolk's false claim that the charity Just Yorkshire provoked death threats against an MP. (No clear correction was ever published, although an evasively-worded paragraph was issued five months afterwards on page 24 of the Christmas Eve edition.)

#### The Times's editorial (See page 4)

This is little more than dishonest bluster.

As in the news story, strikingly, the *Times* fails to identify or link to the report or to identify its authors properly. This was clearly no accident, but a policy decision intended to make it harder for *Times* readers to access the document to which the editorial was referring. As an approach to dealing with serious allegations it is remarkably small-minded and cowardly. No serious news organisation facing questions about its conduct would behave like this

Again, too, there is no attempt whatsoever to address the allegations detailed in the 66 pages of UNMASKED. Instead the *Times* presents a tendentious argument to the effect that an attempt was being made to constrain Norfolk's ability to report on matters relating to Muslims. This is preposterous. The report is entirely concerned with journalistic method. Norfolk and the *Times* are entitled to write whatever they like about Muslims, or about any other minority, providing their work meets the basic standards of decent journalism. That means checking facts and quoting accurately. It means giving as truthful a picture of events as possible and not systematically omitting information that does not suit your political line. And when your journalism concerns a vulnerable minority already suffering from peak levels of hate crime your obligation as a journalist to behave scrupulously and ethically is all the greater.

Norfolk had been smeared, the editorial argues, and made the subject of an 'extraordinary personal attack'. This again is nonsense. The report was personal only in the sense that it concerned the reporter whose name was printed above the offending articles. It said nothing about his background, his character or his private life. It looked exclusively at words he published in a national newspaper – words for which even the *Times* must accept he must be personally accountable. Nor can the report conceivably be described as a smear: the analysis is extremely detailed.

Again, there is no attempt whatsoever to address the allegations

The *Times* dwells at length on Norfolk's past record, but whatever he has published in the past and whatever you may think of it, that does not absolve him from observing basic journalistic ethics in the work he does today. No journalist, no matter how distinguished, can have a licence to fabricate or misrepresent. They must all be accountable for everything they publish.

Again the *Times* attempts to hide behind the pygmy figure of IPSO, the sham 'regulator' set up by the press in defiance of Parliament and the Leveson report. If IPSO has ruled on a matter, the *Times* suggests, then everything must be fine. This blandly overlooks the extended criticisms of IPSO's conduct contained in the report – criticisms that strongly suggest IPSO is incapable of holding newspapers to account.

The *Times* attacks the authors personally and in relation to their supposed views on press regulation (views which the paper either misrepresented or fabricated) in a transparent attempt to distract from the serious content of the report. What is most striking here – the point bears repeating – is the paper's total failure to engage with the content of UNMASKED. Here are just a few of the dozens of questions left unanswered by the leading article:

- Was it in line with *Times* standards of reporting that Norfolk failed to mention in his reports of the 'Muslim foster case' that his principal source was a woman with a serious drink problem and a criminal record whose child had been removed from her for the child's own protection?
- Was it in line with *Times* standards that Norfolk claimed to have a document corroborating this story when it did not?
- Is it Times policy not to correct or take down stories even when it knows they are wrong?
- Does the *Times* consider it good practice for journalists to consult experts and then not only reject their views but also fail even to mention those views in their reporting?
- Was it right of Norfolk to suggest that Just Yorkshire was extreme for saying things about an MP that she had also said herself and to omit all mention of the MP's remarks?
- Was Norfolk right prominently to identify the Pakistani heritage of a man he mentioned in his reporting, even though his heritage was not relevant to the story?
- Was Norfolk right to select the adjective 'perverse' from a quote given to him in good faith and apply it in his reporting to something different?



#### A rebuttal of Hacked Off's 'unmasked' pamphlet 7 July 2019

This document sets out the regulatory action taken in relation to the complaints outlined in the above pamphlet\*, and corrects inaccuracies about IPSO's standards investigations process and independence.

#### "Tower Hamlets foster care story"

IPSO investigated a complaint from Tower Hamlets Borough Council about this article

There are good reasons why we would not take forward complaints from third parties in such cases. Members of the public and others who are unconnected with a story do not know how the subject or their representative, in this case a vulnerable child, feels about the coverage or about making a complaint; nor, in the case of complex child custody arrangements, are they in a position to have access to information which would allow us to investigate any complaint thoroughly or know what the affected party might consider to be a suitable outcome to any complaint.

Tower Hamlets Borough Council was the child's custodial parent at the time the complaint was made, and the only party in a proper position to make decisions about what was in the best interests of the child involved and to dispute any points of accuracy. The complaint they chose to make was specifically in relation to their role in the legal proceedings.

IPSO's Complaints Committee found the Times had failed to take care not to publish distorted information in relation to the legal proceedings, in breach of Clause 1(i) of the Editors' Code. The newspaper made no proposals to correct this distortion, in breach of Clause 1 (ii) of the Code. The complaint was upheld, and the Times was ordered to publish a full adjudication, the Committee's most serious sanction.

The article was the main piece on the paper's front page, and continued onto page 6. Although it contained a distortion, it remained an accurate account of the outcome of the judge's decision. Taking this into account, the Committee decided that the adjudication should be published in full on page 6 of the newspaper, or further forward, and that it should also be published on the publication's website, with a link to the full adjudication (including the headline) appearing in the top 50% of stories on the publication's website for 24 hours. The Times fully complied with IPSO's ruling and also chose to include a reference to the adjudication on its front page.

#### "Just Yorkshire story"

IPSO investigated a complaint from Just Yorkshire about a series of articles in the Times reporting on criticism and received by Sarah Champion MP following an opinion piece on the sexual abuse of girls in her constituency. Just Yorkshire said the Times articles had given the misleading impression that publication of Champion's piece had led to death threats against her. IPSO's Complaints Committee found the Times failed to take care over accuracy in the first article in the series, in breach of Clause 1(i) of the Code, and a correction was required. The Times accepted that while Ms Champion's security protection had increased as a result of the report's publication, the death threats made against her since the publication of the Just Yorkshire article were not directly linked. It corrected the online version of the first article accordingly and offered to do the same in print. The wording made clear the correct position that no death threats made at that time were attributable to the Just Yorkshire report. The Committee considered that the publication of this wording in the newspaper's established Corrections and Clarifications column, as well as online, represented due prominence.

#### "Rotherham Council and the Rapist"

IPSO did not receive any complaints in relation to this article.

#### IPSO's complaints process and standards investigations

IPSO's complaints process is separate from its standards investigations process. The complaints process looks at alleged breaches of the Editors' Code, which is the set of rules our member publications must abide by.

Every complaint we receive is dealt with thoroughly, which is why it can take time to reach a resolution. This is especially so with complex cases, rather than disputes over simple points of fact.

When a complaint is upheld by the Complaints Committee, there a number of factors to consider when deciding on the remedy. These factors include: the seriousness of the breach of the Code; the position of the breach within the publication; the prominence of the breach within the article; and the public interest in remedying the breach.

IPSO's standards investigations deal with serious concerns about the behavior or actions of one or more of its members. IPSO's Board makes the decision about whether or not to launch a standards investigation after looking at information gathered by staff on complaints, the whistleblowing hotline and members of the public.

IPSO may require that a standards investigation takes place where:

- there may have been serious and systemic breaches of the Editors' Code
- there has been one or more failure or failures to comply with the requirements of the Board
- an annual statement identifies significant issues of concern either in relation to a single incident or a pattern of significant, serial or widespread breaches of the Editors' Code
- statutory authority reports identify substantial Editors' Code compliance issues
- in exceptional circumstances, IPSO reasonably considers that an investigation is desirable because substantial legal issues or Editors' Code compliance issues are raised.

IPSO can impose one or more of the following sanctions if it decides that the concerns are sufficiently serious:

- publish an adjudication, which may include a requirement to address the concerns raised
- impose a fine on the member(s) of up to £1 million
- require the member(s) to pay the reasonable costs of the investigation
- require a publisher to submit a quarterly statement for an agreed period
- · terminate the members(s) membership of IPSO.

In 2016, Sir Joseph Pilling conducted a review into the effectiveness of IPSO. On carrying out Standards Investigations, he said:

Those opposed to IPSO are often of the view that the fact that IPSO has not yet launched a standards investigation is evidence that it has failed to regulate the press. Given the significance of a standards investigation IPSO ought not to feel under pressure to launch one. It would be a serious mistake to launch a standards investigation on relatively flimsy grounds. It ought to be exceptional. (pg. 29)

We also have a broader commitment to press standards which goes far beyond complaints handling. We use knowledge and data from daily work with complaints, wide monitoring of the media landscape and engagement with groups interested in coverage of particular issues to track patterns and identify areas of potential concern to provide targeted interventions to raise press standards

#### About IPSO

- Our system of voluntary independent self-regulation underpinned by legally enforceable contracts makes us completely independent of government, politicians, our member publishers, or any one wealthy individual.2
- We are funded by our members via an arms-length body, the Regulatory Funding Company, which raises a levy on publishers, to ensure our complete independence. We have an agreed five-year budget which ensures our financial freedom. The RFC have no involvement in our regulatory work. (See https://www.ipso.co.uk/media/1325/ipso\_review. pdf)
- As a self-regulator it is important that we benefit from the experience
  of the industry as well as others. Our Board and Committee include
  industry members but none of them are serving editors. They do not
  have a veto over our work.
- IPSO's Chairman and Chief Executive are members of the Editors' Code Committee, which also has independent lay members, all of whom have a say over any Code changes. Any changes to the Code must be approved by the Code Committee and the Board of IPSO, which has a lay majority.

IPSO protects the public by holding newspapers and magazines to account for their actions, protecting individual rights, upholding high standards of journalism and helping to maintain freedom of expression. IPSO strongly rejects any accusation that it is complicit in the demonisation of Muslims and other minority groups across the UK.

The *Times* editorialists offer no answers to these important questions. Nor has Norfolk himself responded. In our view this is because they are simply unable to do so. The conduct of the reporter and of the paper's editorial management cannot be defended. That is why they must resort to bluster about Hacked Off and press regulation.

Perhaps most shocking about this, in journalistic terms, is where it leaves the rest of the reporting staff of the paper. They are all tainted. Norfolk's standards, the *Times* is saying, are the paper's standards. His preparedness to omit inconvenient evidence, his lazy, selective way with quotation, his readiness to use emotive language unjustified by the evidence – these are all now presented to us as *Times* benchmarks. In our view, no reporter who is concerned for standards and ethics can continue in conscience to work for such a management.

#### IPSO's response (See page 6)

Ten days after the *Times* attacked UNMASKED, IPSO posted a blog on its website, written by its communications manager Vikki Julian, that purported to be a 'rebuttal'.

Remarkably, IPSO's response exactly follows the *Times* in failing to identify the title and the authors, or to supply a link (until, that is, it was shamed into doing so, in a footnote). Again, the reasoning is obvious: the sham regulator was afraid to show its readers what it was allegedly 'rebutting'. Is it possible that IPSO colluded with the *Times* in adopting this approach?

IPSO's blog is bizarre in that, in a blundering way, it largely confirms the allegations made against the organisation in UNMASKED. It confirms that it simply chose not to address all but one of the hundreds of complaints about the 'Muslim foster care' story. It confirms that in the Just Yorkshire case it accepted as sufficient remedy for a gross and damaging error a weasel-worded paragraph published on page 24, on Christmas Eve. And it confirms that since no complaint was made in the 'Rotherham Rapist' case it took the view that nothing can have been wrong. As UNMASKED made clear, non-regulation is the norm at IPSO, and IPSO is plainly not embarrassed about it.

Hundreds of senior journalists received the report. Not one wrote about it

No less bizarre is IPSO's focus, in its 'rebuttal', on investigation. Under the guise of correcting supposed inaccuracy in our representation of IPSO's conduct, it explains, effectively, that it does not investigate, ever. And then it goes on to claim that it is independent – a claim persistently made with similar eagerness and with an almost identical lack of justification by its discredited predecessor, the Press Complaints Commission.

Vacuously, IPSO asserts that its role goes 'far beyond complaints handling' and extends to 'monitoring the media landscape' and conducting 'targeted interventions to raise press standards'. As if the three cases described in UNMASKED, and its own response to the report, did not prove the contrary. And finally there is the plaintive cry: 'IPSO strongly rejects any accusation that it is complicit in the demonisation of Muslims and other minority groups across the UK.' If IPSO really wants to stop the abuse of minorities it needs to do something public about it or acknowledge its powerlessness and cease to make the claim that it regulates. Until it does so it is complicit.

#### The silence of journalists

As described above, we ensured that hundreds of senior journalists and news executives received print copies of the report. Many more will have seen Tweets and Facebook postings about it. They include some of the best-known columnists and reporters in the national press. Not one of them has written about it.

On one level this is a familiar omertà in action. 'Dog does not eat dog.' If you don't want to be scrutinised and criticised by your peers you leave your peers alone, whatever they get up to. That's the easy life. On another level there are ready excuses for inaction. For example, the public is not interested in press ethics; journalists writing about other journalists is incestuous: there are bigger, better stories around.

All of this is lazy, irresponsible thinking. Journalists are supposed to hold the powerful to account. Is the *Times* newspaper not powerful? Of course it is. Equally, journalists are fierce in opposing any form of external accountability, under the law or through effective self-regulation. If that's their view, how can they refuse internal accountability, by which journalists hold each other to account. Do they think journalists should be accountable to no one? And, as mentioned above, journalists give the public the impression they are competitive. How can they refuse to challenge each other on something so basic as ethical conduct?

There is no excuse. What is happening at the *Times* is a scandal and an offence against decent journalism. Journalists who fail to tackle such a scandal, who fail to draw the attention of their readers, viewers and editors to such a scandal – and they include famous columnists and presenters at the *Guardian, Private Eye*, the BBC, Channel 4 and other organisations that present themselves as independent-minded – are complicit in the coverup. And, worse, it is a cover-up that causes damage to vulnerable people. In doing so they are letting journalism itself down, and they are encouraging a corrosive distrust of the profession that harms us all. They are all tainted.

Brian Cathcart and Paddy French

## <u>UNMASKED</u>

three sensational investigations that exposed scandals and made headlines

written by one of Britain's leading journalists

— Andrew Norfolk

published in one of the world's best known newspapers — the Times







WHAT THE REPORT REVEALED

just one problem

the scandals exposed didn't happen

this damning report shows how basic journalistic principles were sacrificed

and asks — is there an anti-Muslim agenda at the Times?

