

Head Office
BM 5369
London WC1N 3XX
020 3137 9340
mail@antisemitism.org.uk
www.antisemitism.org.uk

IMPRESS

c/o codereview@impressreg.org.uk

15 February 2021

IMPRESS Code Review Submission

The Antisemitism Policy Trust is a charity that works to educate and empower parliamentarians and policy makers to address antisemitism. For more than ten years, the Trust has provided the secretariat to the All-Party Parliamentary Group (APPG) Against Antisemitism. The Trust has been advising the government and policy makers on policies relating to hate speech, freedom of expression, disinformation campaigns and the dissemination of conspiracy theories that can radicalise and incite violence.

This submission makes recommendations for amendment of the Accuracy and the Discrimination clauses of the existing IMPRESS Code but also goes further, recommending associated improvements to penalties and more.

The Accuracy Code

We believe that the current code does not sufficiently address the problem of disinformation, fake news and conspiracy theories. The code states that: 'publishers must not misrepresent or distort the facts.' However, sites, including those regulated by IMPRESS, continue to spread disinformation. This content is known to be instrumental in causing harm, spreading hatred, racism and prejudice, sparking radicalisation and inspiring acts of violence. The code should therefore be clearer on dis and mis-information specifically, and more broadly, there should be a mechanism for assessing fitness to be an IMPRESS member

both at registration, and at set periods, in relation to the propagation of fake news and accordance with the spirit of the code.

A recent study into antisemitism in alternative media by researchers from King's College London for the Government's Independent Adviser on Antisemitism, Lord Mann, presented disturbing findings regarding two publications regulated by IMPRESS: The Canary and The SKWAWKBOX. The study regarded both as radical-left, and influential among Labour activists, in particular.

Regarding The Canary, the study alleged that on numerous occasions the publication spread false information. For example, a 2017 article included false information about BBC reporter Laura Kuenssberg. The Canary stood accused of 'failing to take all reasonable steps to ensure accuracy prior to publication.'¹ The Canary also published a baseless conspiracy theory that allegedly resulted in death threats against the subject of this article.²

Even at the time of writing, numerous fake news stories remain on the Canary website, including one alleging a '1,000,000 bounty 'for Labour insiders to undermine Corbyn'. The story is published twice, and yet following the source cited in the piece, demonstrates the story is other than what the Canary portrays it to be. The headline is factually inaccurate.³ To that end and given the propensity more generally towards misleading headlines we recommend that IMPRESS make specific reference to headlines in the code with respect to accuracy, as IPSO already does.

Skwawkbox has a history of publishing fake news and disinformation, some of which has been investigated by IMPRESS, which has found the publication in breach of accuracy codes numerous times.⁴ The news website, for example, published widely on the poisoning of Sergei Skripal, and in doing so spread

¹ Allington, D. And Joshi, T. 'Antisemitism and the Alternative Media.' *King's College, London*, January 2021, p.28

² Ibid.

³ 'Reminder: Israel put up a £1,000,000 bounty for Labour insiders to undermine Corbyn' , The Canary, 28 March 2018, <https://www.thecanary.co/uk/analysis/2018/03/28/reminder-israel-put-up-a-1000000-bounty-for-labour-insiders-to-undermine-corbyn/>

⁴ For example: 327/2020 Joseph Venable and The SKWAWKBOX; 265/2019 Marc Harris and The SKWAWKBOX; 173/2018 Ms Moira McLaughlin and The SKWAWKBOX; 171/2018 Mr Wes Streeting and The SKWAWKBOX; 119/2018 Mr Graham Hindson and The SKWAWKBOX; 093/2017 Mr Christopher Grey and The SKWAWKBOX

disinformation and conspiracy theories, distracting from the facts.⁵ The blog was also found by IPSO to be accurately described as a publisher of fake news, in the context of material it published about the Grenfell Tower fire.⁶

There have also been allegation of Skwawkbox removing stories that contain disinformation or conspiracy theories without posting corrections.⁷ This is in contrast to, for example, IPSO's guidance according to which: 'editors must correct inaccuracies and other issues promptly and with 'due prominence' and of course the IMPRESS code (1.2).⁸

Whilst conspiracy theories are of course permissible free speech, publications that are vehicles for misinformation and that repeatedly and deliberately spread false news should either be more stringently regulated, or outside the ambit of the regulator entirely. To that end, we believe definitions of mis and dis-information and the penalty regime should be directly referenced in the code, or at least in the guidance, with cross-reference in the code.

Furthermore, given the tendency of some publications to use social media to draw readers to articles, we believe that both the Code guidance and penalties should apply to social media posts by a publication which reference the article being adjudicated on, especially if the post contains details from the article or if the original material cannot be amended and must be removed. We also believe penalties should apply to social media postings about a given piece, including publication of IMPRESS findings.

Conclusion and Recommendations for Changes in the Accuracy Code

Above are only a few examples demonstrating how widespread the publication of disinformation and conspiracies have become in alternative media – a problem that goes beyond the two publications mentioned. Whilst mistakes are understandable, we believe that outlets that have been found to publish

⁵ 'May told UK 'only two Novichok alternatives'. What's her/BBC's excuse for ignoring this, then?.' *Skwawkbox*, 16 March 2018, <https://skwawkbox.org/2018/03/16/may-told-uk-only-two-novichok-alternatives-whats-her-bbcs-excuse-for-ignoring-this-then/>

⁶ Moore, M. 'Corbynista site Skwawkbox published fake news about Grenfell death toll, Ipsy rules.' *The Times*, 10 November 2017, <https://www.thetimes.co.uk/article/corbynista-site-skwawkbox-published-fake-news-about-grenfell-death-toll-ipsy-rules-jb3jbnszq>

⁷ Chakelian, A. 'Skwawkbox, Jeremy Corbyn's wreath, and the mystery of vanishing online stories.' *The New Statesman*, 13 August 2018, <https://www.newstatesman.com/politics/media/2018/08/skwawkbox-jeremy-corbyn-s-wreath-and-mystery-vanishing-online-stories>

⁸ 'IPSO issues guidance on prominence for editors and journalists.' *IPSO*, 3 November 2017, <https://www.ipso.co.uk/news-press-releases/press-releases/ipso-issues-guidance-on-prominence-for-editors-and-journalists/>

conspiratorial and fake content consistently and repeatedly, should not be allowed to enjoy the benefits and dignity of a regulated publication, given the threat they pose to democratic activity. Where remaining regulated, such publications should be subject to more stringent regulation.

Disinformation and conspiracy theories can lead to considerable harms. Even if reports containing disinformation or misleading information are removed, they still have an influence on the many readers that have been exposed to the information while it was online, including on the publisher's social media accounts. As set out above, we believe more recognition should be given to social media accounts by the regulator, and specific reference to headlines be included in the code.

The accuracy code or accompanying guidance with proper reference in the code, should therefore clearly mention the use of deliberate disinformation, misinformation and dissemination of conspiracy theories:

Disinformation should be defined as 'Information that is false and deliberately created to harm a person, social group, organisation or country.'⁹

Misinformation should be defined as 'Information that is false but not created with the intention of causing harm.'¹⁰

The Discrimination Code

The Trust believes that the Discrimination Code is mostly fit for purpose, and we commend IMPRESS for including discrimination against groups of protected characteristics within it, and not only provision to act on discrimination against individuals. However, some publications regulated by IMPRESS have been found to consistently break this code, highlighting the need to strengthen it. We are also concerned that the code doesn't make specific mention of intersectional discrimination which has a dual negative impact. These are a few examples:

The study into antisemitism and the alternative media cited above found instances of antisemitism in both The Canary and Skwawkbox. These go beyond an occasional article and are said to represent a predominant anti-Jewish bias and agenda.

⁹ 'Journalism, 'Fake News' and Disinformation: A Handbook for Journalism Education and Training.' UNESCO, <https://en.unesco.org/fightfakenews>

¹⁰ Ibid.

The Canary has a long and disgraceful track record when it comes to antisemitism. Examples include the publication defending one of its journalists, Steve Topples, who also works for several Russian-controlled media outlets that promote anti-Western conspiracy theories,¹¹ for referring to a 'zionist cancer.' The Canary has also blamed the failure of its business model on 'political Zionists' – an inaccurate and offensive characterisation of the facts, arguably drawing on a common antisemitic trope about a secret cabal of wealthy and powerful Jews to be used as a scapegoat for negative and unwanted events.¹²

The study further found instances of articles that, for example, deny Jews the right to national self-determination; compare Israel with the Nazi regime; and equate Zionism with racial supremacism.¹³ The Canary also appears not to moderate antisemitic comments by its readers posted on its website.¹⁴

Skwawkbox was also found to disseminate antisemitic content, including invoking an old antisemitic trope about a powerful cabal of Jews by suggesting that Israel had political (and corrupting) influence in the UK through conspiratorial organisations with financial power.¹⁵ The aforementioned study also found that, in an attempt to distance itself from accusations of antisemitism, the blog chose to accuse, without evidence or merit, other organisations, such as the BBC and the Jewish Labour Movement, as being antisemitic.¹⁶

The King's College study looked at a variety of left-wing and right-wing media outlets and found that 'the strongest positive correlations between Generalised Antisemitism and platform evaluation are for Skwawkbox, [and] the Canary.'¹⁷ Both publications were also found to consistently defend politicians accused of antisemitism and to reject accusations of antisemitism in the Labour party,¹⁸ despite mounting evidence and the eventual EHRC ruling about antisemitism,

¹¹ Harpin, L. 'Canary journalist who shared antisemitic tropes is linked to 'Russian propaganda' news site.' *The JC*, 2 August 2019, <https://www.thejc.com/news/uk/canary-journalist-who-shared-antisemitic-tropes-is-linked-to-russian-propaganda-news-site-1.506121>

¹² Tobitt, C. 'The Canary blames attacks by 'political Zionists' for failing business model as cuts fall.' *The Press Gazette*, 5 August 2019, <https://www.pressgazette.co.uk/the-canary-blames-attacks-by-political-zionists-for-failing-business-model-as-cuts-fall/>

¹³ Allington, D. And Joshi, 'Antisemitism and the alternative media,' p.30

¹⁴ Ibid.

¹⁵ Ibid., p.24

¹⁶ Ibid. p.25

¹⁷ Ibid., p.46.

¹⁸ Ibid.

discrimination and harassment in the Party. The Canary and Skwawkbox have also repeatedly accused major UK and US Jewish organisations of wrongdoing.¹⁹

5pillars, another publication regulated by IMPRESS, has also published antisemitic content, regularly presenting Jews and the Jewish state of Israel in a negative way, referencing 'zionist plots'²⁰ and 'zionist' Jewish organisations in the UK and their influence over politics. While most of the articles are not formally in breach of the Discrimination Code, the publication as a whole might well be considered to have adopted an anti-Jewish rhetoric. Of course, understanding antisemitism, particularly when expressed in reference to Zionism, will likely be more difficult to detect without a point of reference which in this case should be the International Holocaust Remembrance Alliance definition of antisemitism. The website has also been accused²¹ of promoting anti-West and anti-Israel conspiracy theories, including that Israel stands behind the 9/11 attacks, that MI5 arranged the killing of British soldier Lee Rigby and that the journalist James Foley was beheaded by Western spies rather than by Islamic State.²²

Finally, as outlined above, we have concerns about the absence of intersectional discrimination in the code. A briefing by the Trust, titled 'Misogyny and Antisemitism,' found that the overlap between antisemitic and misogynistic online posts have risen by 180% in the between 2015 and 2017.²³ This places Jewish Women at a disadvantageous intersection that can be harmful if their discriminations is not recognised and protected by the code, and which will be felt in other areas where protected characteristics overlap.

Conclusion and Recommendations

¹⁹ Ibid., p.34.

²⁰ for example: 'Yet another Zionist plot to smear Scottish pro-Palestine activists is exposed.' <https://5pillarsuk.com/2020/09/07/yet-another-zionist-plot-to-smear-scottish-pro-palestine-activists-is-exposed/>; 'Corbynite candidate for Labour leader agrees to Zionist lobby demands.' <https://5pillarsuk.com/2020/01/13/corbynite-candidate-for-labour-leader-agrees-to-zionist-lobby-demands/>

²¹ The accusations were made in 2020 but related to older content - some of which is still on the 5pillars website. For example: 'Did Western intelligence murder James Foley?' *5Pillars*, 22 August 2014, <https://5pillarsuk.com/2014/08/22/did-western-intelligence-murder-james-foley/>

²² Hookman, M. 'Press watchdog's offshoot funds website accused of publishing conspiracy theories about terror attacks - including one suggesting MI5 may have arranged the murder of British soldier Lee Rigby.' *The Daily Mail*, 5 July 2020, <https://www.dailymail.co.uk/news/article-8490803/Press-watchdogs-offshoot-funds-site-suggested-MI5-arranged-murder-Lee-Rigby.html>

²³ Policy Briefing: Misogyny and Antisemitism, *Antisemitism Policy Trust*, May 2019, <https://antisemitismpolicytrust.sharepoint.com/sites/AntisemitismPolicyTrust/Shared%20Documents/APT%20Policy%20Briefings/misogyny/5982%20Misogyny%20and%20Antisemitism%20Briefing%20April%202019%20v1.pdf>

The severity of discrimination and hate speech against a protected characteristic in a journalistic and public setting, and the fact that publications regulated by IMPRESS have been found to consistently publish antisemitic content without formal reprimand from the regulator, indicated that the code needs amending and perhaps improved enforcement:

1. We recommend that the code should include intersectionality, so that IMPRESS can consider breaches of the code by discriminating against one or more protected characteristic, for example Jewish women.
2. IMPRESS allows complaints to be made about the content of an article or about a publication as a whole. It is crucial that 'super-complaints' about a publication should be investigated and if a publication is found guilty of consistently breaching the regulator's code, especially about issues as serious as discrimination, IMPRESS should include sanctions more serious than the current fines, corrections and apologies. These should include heavier longer-term sanctions such as suspension of memberships or, in extreme cases, removing a publication from regulation by IMPRESS.
3. IMPRESS regulates several publications that hold and promote radical ideologies. While most of their content falls within permitted Freedom of Expression, antisemitic content should not be tolerated. We advise IMPRESS to adopt the IHRA non-legally binding working definition of antisemitism. The definition has already been adopted by the UK government, many UK universities, and countries across the world. It is a helpful guide to what antisemitism can be, in a particular context. It should be referenced in guidance and used by IMPRESS, as standard, when investigating relevant complaints/ Furthermore, IMPRESS might like to have an advisory board to consult with in matters pertaining to antisemitism, anti-Muslim hatred and other forms of discrimination, which might include reference to the IHRA definition.

Taking a More Proactive Approach

The Trust welcomes the call for evidence by IMPRESS and we view it as a drive by the organisation to improve its service. In making sure that the publications regulated under IMPRESS are held to higher standards, IMPRESS can protect

readers from harms caused by disinformation and content that can cause radicalisation and prejudice.

We believe that IMPRESS should take a more proactive role in making sure that these outlets are keeping to its codes and guidance. According to the official IMPRESS guidelines, the regulator can initiate an investigation of potential breaches of its codes 'where it forms a part of a pattern of conduct of a news publication.'²⁴ However, the proliferation of disinformation and discriminatory content suggests that investigations should be conducted more regularly and effective sanctions need to be applied.

We also believe that IMPRESS should be demanding additional statutory powers to prevent bodies from voluntarily leaving its regulatory ambit at will. This undermines the regulatory process, given a publication can suddenly withdraw from it.

For further information or to discuss this submission please contact the Antisemitism Policy Trust on mail@antisemitism.org.uk.

²⁴ Complaint FAQ.' IMPRESS, <https://www.impress.press/complaints/complaints-faq.html#sanctions>