

Refugees and Asylum Seekers – October 2003

Over the past few years, the Commission has received increasing numbers of complaints – principally concerning discrimination – about the coverage of issues relating to refugees and asylum seekers.

The clear majority of complaints – including those stemming from partisan comment and campaigning – raise no breach of the Code of Practice.

However, one discrete group of complaints – which fall under the broad banner of Clause 1 (Accuracy) of the Code – has led to a number of breaches, and the Commission thought it useful to draw this issue to the attention of editors.

Those breaches of the Code that have occurred – in a similar manner to the issue of the reporting of mental health, about which the PCC issued guidance in 1998 – appear largely to have arisen from misunderstandings about terminology.

The Commission is concerned that editors should ensure that their journalists covering these issues are mindful of the problems that can occur and take care to avoid misleading or distorted terminology. By way of example, as an “asylum seeker” is someone currently seeking refugee status or humanitarian protection, there can be no such thing in law as an “illegal asylum seeker”. A “refugee” is someone who has fled their country in fear of their life, and may have been granted asylum under the 1951 Refugee Convention or someone who otherwise qualifies for Humanitarian Protection, Discretionary Leave or has been granted Exceptional Leave to Remain in the country. An asylum seeker can only become an “illegal immigrant” if he or she remains in the UK after having failed to respond to a removal notice.

Those groups set up to support and advocate on behalf of refugees and asylum seekers can provide further clarification to journalists if required.

Editors are, of course, already aware that pejorative or irrelevant reference to a person’s race, religion, or nationality is already prohibited under Clause 12 (Discrimination) of the Code. Similarly, the Commission – in previous adjudications under Clause 1 (Accuracy) of the Code – has underlined the danger that inaccurate, misleading or distorted reporting may generate an atmosphere of fear and hostility that is not borne out by the facts.