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**Press Complaints Commission**

*From the Acting Director*

**Your reference: EH/SL.ox.Meyer**

3 March 2004

Dr Evan Harris MP  
House of Commons  
London  
SW1A 0AA

*Chairman*  
Sir Christopher Meyer

*Members of the Commission*  
Matti Alderson  
Roger Alton  
Professor The Lord Chan  
Edmund Curran  
Paul Dacre  
Jane Ennis  
Mary Francis  
Dr. Arthur Hearnden  
Vivien Hepworth  
Peter Hill  
Paul Horrocks  
Charles McGhee  
Professor Robert Pinker  
Eve Salomon  
Dianné Thompson  
The Right Rev. John Wayne KCVO

*Acting Director*  
Tim Toulmin

Dear Dr Harris

Thank you for your letter of 23 February addressed to Sir Christopher Meyer. Sir Christopher has asked me to respond on his behalf.

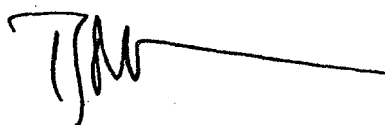
I am pleased that you have found our quarterly bulletin interesting – and I will ensure that your comments about it being difficult to follow are taken on board. As you may know, fuller details of all resolved and adjudicated complaints are published in our biannual reports and can be found on our website.

With regard to recent cases involving asylum and immigration issues, I am enclosing summaries of a number of recently resolved complaints, the most significant, perhaps, being that made by the Refugee Council against the Mail on Sunday.

In addition, please find with this letter a copy of the guidance note on refugees and asylum seekers that we released last October. This was drawn up after consultation with the Refugee Council and ICAR, among others, in order to provide guidance on the correct use of terminology.

If you would like to discuss any matters further please do not hesitate to let me know.

Yours sincerely



Tim Toulmin





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### Past Decisions



**Complainant name:** Dr Temple complained, on behalf of the Tavistock and Portman NHS Trust

**Report:** 65

**Paper:** Sunday Express

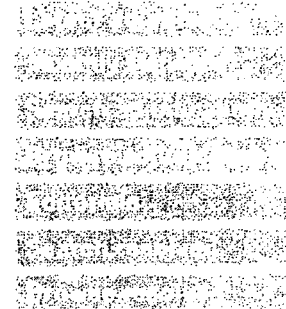
**Clauses noted:** 1

**Complaint:**

Dr Temple complained, on behalf of the Tavistock and Portman NHS Trust, that an article about the London's NHS Tavistock Clinic's policies towards treating asylum seekers contained inaccuracies.

**Resolution:**

The complaint was resolved when the newspaper agreed to publish a letter from the complainant on the matter.



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### Past Decisions



**Complainant name:** The Refugee Council

**Report:** 64

**Paper:** The Mail on Sunday

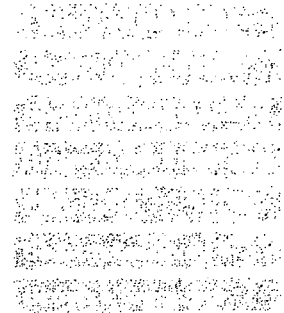
**Clauses noted:** 1

**Complaint:**

The Refugee Council complained that an article about the removal of a number of Afghans from the UK was inaccurate in its suggestion of how many Afghans were living in the country illegally and how many were, consequently, to be removed by the government.

**Resolution:**

The newspaper published a letter from the Refugee Council which corrected the details of the article and commented on the issue of returning refugees to Afghanistan more generally.



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Past Decisions

**Complainant name:** Ms Lynda Mackenzie

**Report:** 63

**Paper:** Newcastle Evening Chronicle

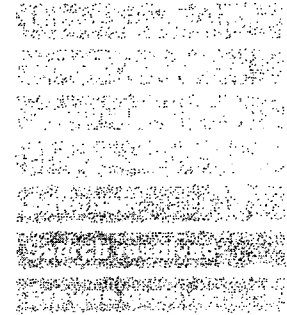
**Clauses noted:** 13

**Complaint:**

Ms Lynda Mackenzie of Newcastle Upon Tyne complained that an article about asylum seekers was discriminatory and could lead to tension in the local community.

**Resolution:**

The complaint was resolved when the newspaper sent the complainant a personal letter expressing regret for any offence caused by the article and published several balanced articles on the issue.



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Past Decisions

**Complainant name:** Refugee Council

**Report:** 61

**Paper:** Evening Standard

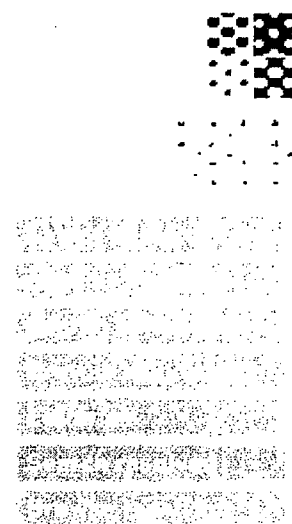
**Clauses noted:** 1

**Complaint:**

Ms Jean Candler, the Press Officer for the Refugee Council (www.refugeecouncil.org.uk), complained that an article inaccurately referred to a refugee family as 'illegal asylum seekers'. There is no such thing in law as an 'illegal' asylum seeker.

**Resolution:**

The complaint was resolved when the newspaper – although accidentally republishing the original headline of the article under complaint– published a letter from the Refugee Council.



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#### Refugees and Asylum Seekers

EMBARGO 23 OCTOBER 2003

##### REFUGEES AND ASYLUM SEEKERS

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 13 (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.



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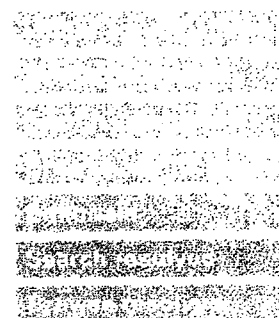
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