

Level Up submission to the 2023 IPSO Editors' Code review

Introduction

This submission to the 2023 IPSO Editors' Code review is informed by domestic abuse experts, academic evidence, and testimony from families bereaved by fatal domestic abuse. It is necessary to amend the IPSO Editors' Code of Practice to include a subclause on the reporting of fatal domestic abuse. The existing guidelines-based approach is inadequate for enforcing editorial standards on the reporting of a pressing public health issue.

The structure of this submission is as follows:

1. Overview of fatal domestic abuse in the UK;
2. Media reporting on fatal domestic abuse;
3. The impact of media reporting on victims' families;
4. The case for a change to the Editor's Code; and
5. Recommendation to improve and strengthen Clause 4.

1. Fatal domestic abuse in the UK

Domestic abuse is a pervasive public health problem in Britain. More than one in four women have been victims of abuse by a partner.¹ Domestic abuse can, and does, culminate in death: every week on average, at least one woman is killed by her partner or ex-partner.²

Research by criminologists and domestic abuse experts has established that when someone kills their partner or ex-partner, it marks the endpoint to a sustained period of coercive control.³ Professor Jane Monckton-Smith's eight-stage timeline has proven that fatal domestic abuse – also known as domestic homicide – is predictable and preventable. After reviewing 372 cases of domestic homicide, Monckton-Smith identified that these killings are regularly preceded by behaviours such as excessive jealousy, attempts to control a victim's freedom or behaviour, and paranoia about infidelity.⁴ Monckton-Smith explains:

"Quite often overt violence is not the consistent form of abuse from an abusive man, and in many cases there is no history of violent abuse, but... always abusive control."⁵

¹ Sardinha et al (2022) Global, regional, and national prevalence estimates of physical or sexual, or both, intimate partner violence against women in 2018 *The Lancet* Vol. 399, Issue. 10327, p803-813
[https://doi.org/10.1016/S0140-6736\(21\)02664-7](https://doi.org/10.1016/S0140-6736(21)02664-7)

² Office for National Statistics [ONS] (2021) 'Domestic abuse prevalence and trends, England and Wales: year ending March 2021', Domestic Homicide.
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabuseprevalenceandtrendsenglandandwales/yearendingmarch2021>

³ Stark E (2007) *Coercive Control: How Men Entrap Women in Personal Life*, Oxford University Press

⁴ After reviewing 372 cases of intimate partner homicide, professor Jane Monckton-Smith identified patterns in perpetrators' behaviour that could be broken down into eight stages. A diagram of the eight stages has been published by the University of Gloucester here:

<https://professionals.lincolnshire.gov.uk/downloads/file/2165/8-stage-homicide-timeline-resource>

⁵ Monckton-Smith J (2012) *Murder, Gender and the Media: Narratives of Dangerous Love*, Palgrave MacMillan

Situating domestic abuse killings in the context of the behavioural patterns that precede them accurately and helpfully depicts fatal domestic abuse for what it is: an identifiable, and preventable public health issue, as classified by the World Health Organisation (WHO) under the umbrella of gender-based violence.⁶

2. Media reporting of fatal domestic abuse

There is a public interest in the reporting of fatal domestic abuse and the regularity of this crime makes it a standing news item in the British press. While the media accepts it has a public health duty to prevent suicide, and the Editors' Code includes a clause on the reporting of suicide in recognition of the fact that sensitive reporting can prevent simulative acts, no such duty exists in relation to fatal domestic abuse.

Careful reporting on suicide has been proven to save lives.⁷ Sensitive reporting on fatal domestic abuse has the power to do the same. This can educate the public about warning signs, highlight that fatal domestic abuse is preventable, and direct potential victims to sources of support. When domestic homicide reports are not handled sensitively, the impacts can be devastating. For example, in the distressing case of Luke and Ryan Hart, whose father murdered their mother Claire and sister Charlotte in 2016. Police searches of his computer history revealed that in the weeks before killing his own family, he had researched newspaper reports of domestic homicides. These reports informed a 'murder note' he left behind that rationalised his actions based on what he had read in media reports of men who had killed their own families.

Experts have demonstrated that the attitudes and behaviours that drive someone to commit domestic homicide are rooted in coercive control, and that domestic homicide is both predictable and preventable. Yet media reporting often tells a different story. Headlines on domestic homicide reports typically follow a formula where a victim's death is de-contextualised from the broader relationship dynamic, and presented as a one-time event that occurs 'after' her own actions. "*Hubby guilty of murdering his wife after 'row over her lesbian tryst'*",⁸ "*Husband killed his wife after she mocked the size of his penis*",⁹ and "*Jilted lover stole M4 rifle and executed estranged wife, her mum and pet dog when she refused to rekindle*"¹⁰ are just three examples.

As the above examples show, media reports on domestic abuse deaths too often focus on a 'trigger' event, usually the victim's purported actions, and tend to - consciously or not - sympathetically romanticise men who kill by describing them as 'jilted' or 'scorned' 'lovers'. There is a growing body of academic research that proves the negative impacts of such romantic framings of domestic homicide - both among the public and in the criminal justice system.

⁶ World Health Organisation [WHO] (2021) 'Gender based violence is a public health issue: using a health systems approach', news article. <https://www.who.int/news/item/25-11-2021-gender-based-violence-is-a-public-health-issue-using-a-health-systems-approach>

⁷ Monash University (2022) 'Suicide reporting guidelines for media save 139 Australian lives over five years' <https://www.monash.edu/medicine/news/latest/2022-articles/suicide-reporting-guidelines-for-media-save-139-australian-lives-over-five-years>

⁸ Fricker M (2018) 'Hubby guilty of murdering his wife after "row over her lesbian tryst"', *Mirror*. <https://www.mirror.co.uk/news/uk-news/picture-lover-lesbian-tryst-row-12808949>

⁹ Wharton J (2018) 'Husband killed his wife after she mocked the size of his penis', *Metro*. <https://metro.co.uk/2018/06/28/husband-killed-wife-mocked-size-penis-7667004/>

¹⁰ Thompson F (2018) 'Jilted lover "stole M4 rifle and executed estranged wife, her mum and pet dog when she refused to rekindle"', *Metro*. <https://www.mirror.co.uk/news/uk-news/jilted-lover-stole-m4-rifle-13420326>

Recent academic research which tested readers' reactions to different news frames for reports of fatal domestic abuse has found that romanticised framings reduced empathy for victims. When a woman's killing was labelled as "love killing" compared to "murder", empathy for the victim reduced and readers were more likely to perceive male perpetrators as a "loving person"¹¹. The study also said this type of reporting "creates a vicious circle of violence in which patterns of gender discrimination and inequality are perpetuated."¹²

Research published in Professor Jane Monckton-Smith's landmark book *Murder, Gender and the Media* found that romantic narratives in domestic homicide murder trials were linked to lighter sentencing, even when there has been clear evidence of physical violence leading to murder. Monckton-Smith found that men who proclaimed "love" for a victim before, during or after they enacted fatal violence were given more lenient sentences and more sympathy than those who demonstrated an absence of love.¹³

With this academic evidence in mind, it is clear that reports of fatal domestic abuse that use romantic frames or references to 'love' reinforce sympathy for perpetrators above victims and obstruct national domestic homicide prevention efforts. Such reporting regularly violates victims' dignity and, once dead, these victims do not have the 'right to reply' to claims made about them, in all other contexts considered the baseline measure of objectivity and balance in news journalism.

3. The impact of media reporting on victims' families

Since 2018 Level Up has worked alongside victims' families who have experienced long-term trauma as a result of media reporting on their loved ones' deaths. This includes Luke and Ryan Hart, mentioned above. In 2020, Level Up conducted research in partnership with AAFDA (Advocacy After Fatal Domestic Abuse) to document bereaved families' experiences of the press.¹⁴ The study found:

- Most families want the press to report on their loved one's case, whether it be to raise awareness of domestic abuse or because they feel that their loved one deserves their story to be told. Yet it is the manner, and timing, of how this is done that can cause harm.
- Several families experienced intrusion into grief or shock in the reporting of their case, with almost two in three (60%) of families saying reporting negatively impacted their grieving process.
- 93% of families do not think rules on reporting fatal domestic abuse are strong enough.

¹¹ Schnepf, J., & Christmann, U. (2023). "Domestic Drama," "Love Killing," or "Murder": Does the Framing of Femicides Affect Readers' Emotional and Cognitive Responses to the Crime? *Violence Against Women*, 0(0). <https://doi.org/10.1177/10778012231158103>

¹² Ibid.

¹³ Monckton-Smith, Jane (2012) *Murder, Gender and the Media: Narratives of Dangerous Love*. UK: Palgrave MacMillan

¹⁴ Level Up (2020) *How families bereaved by fatal domestic abuse have experienced the press*. <https://www.welevelup.org/wp-content/uploads/2023/03/Final-LU-AAFDA-families-report.pdf>

Families frequently cited victim-blaming reports as the primary cause of harm. Some families had read news articles that described their loved ones as “murderable” and “a nightmare”. One respondent explained how media reporting of her mother’s death had “prolonged and hindered the grieving process, causing anguish and heartache.”

Some families also felt aggrieved by the fact that press reporting centred a perpetrator’s experiences, which they felt allowed perpetrators to “play the victim”, using the media to publish their narrative of events while the deceased victim was unable to respond. One respondent said: “Journalists need to be aware of the myths and incorrect stereotypes that they may unconsciously be propagating [and] the effect of their reporting, not only on the surviving family members, but how their writing can hinder progress on tackling domestic abuse nationwide.”¹⁵

4. Dignity for Dead Women guidelines and the case for Editor’s Code change

In 2018, Level Up set out to improve the way fatal domestic abuse is reported in the press by launching the *Dignity for Dead Women* guidelines¹⁶. These guidelines, which were co-created with criminologists, domestic abuse experts, victims’ families and the IPSO standards team, were published and endorsed by IPSO in 2019.

The guidelines are formulated around the four-part acronym AIDA:

1. **Accountability:** Avoid including speculative or spurious reasons or ‘triggers’ for the killing, as these inaccurately decontextualise the fatal incident from the controlling relationship between victim and perpetrator.
2. **Images:** Use the photo provided by the victim’s family or police. Don’t use composite images of the victim placed next to the perpetrator.
3. **Dignity:** Avoid sensationalising language, invasive or graphic details that compromise the dignity of the deceased woman or her surviving children and family members.
4. **Accuracy:** Legal proceedings permitting, name the crime as domestic abuse. Frame the death in the context of a pattern of controlling behaviour and, where possible, signpost to helplines for victims.

Shortly after these guidelines were published, Level Up engaged in a sequence of meetings with IPSO stakeholders – Charlotte Dewar, Charlotte Urwin and Sir Alan Moses – to discuss potential Editors’ Code change. While a wholesale import of the guidelines into the code would be inappropriate, especially given that the code does not cover images, Level Up sought to secure change that would reinforce the ‘accountability’ point. The broad argument put forward by IPSO at the time was that code change on this area of reporting was preemptive and the new guidelines would be sufficient to improve editorial practices.

The IPSO standards team highlighted that they had received very few complaints on reports of fatal domestic abuse. This is likely to be because all potential complainants in

¹⁵ Ibid.

¹⁶ Level Up (2022) *Dignity for Dead Women: Media guidelines for reporting domestic abuse deaths*. <https://www.welevelup.org/wp-content/uploads/2022/06/Media-Guidelines-V2-1.pdf>

cases of fatal domestic abuse are dead and only 13% of families say they understand the press complaints process. Furthermore, in a February 2021 meeting between IPSO Head of Standards and Regulation Jane Debois and several families bereaved by domestic homicide, families made clear that when distressing media reports were published, they were too overwhelmed by their loved ones' deaths to meet the four and twelve month complaint deadlines for print and online coverage respectively.

For the past five years, Level Up has promoted these guidelines, working closely with victims' families and in partnership with training organisation Against Violence and Abuse (AVA) to deliver CPD-accredited training to almost 500 journalists across the UK. The IPSO standards team contributed valuable feedback in the development of this training. The guidelines have been partially adopted into the BBC editorial guidelines and Guardian house style guide and were showcased at the 2022 International Journalism Festival in Perugia, Italy.

Whilst there has been a positive shift in the reporting of fatal domestic abuse since 2018, it is clear that voluntary uptake of the guidelines is an insufficient approach to maintain editorial standards when reporting such a pressing public health problem. The most persistently damaging reporting, both to victims' families and to broader domestic homicide prevention efforts, is reporting that a) uses a romantic framing for the killing and b) alludes to a woman's behaviour triggering the killing.

Recent news reports on the killings of Clair Abelwhite and Emma Pattison have been met with widespread public condemnation. The respective headlines in these cases were "*Scorned man slit mum's throat in posh village after she ended fling over age gap*" and "*Did living in the shadow of his high achieving wife lead to unthinkable tragedy? Details emerge of the tensions behind the picture perfect lives of the Epsom College head and her husband who 'killed her and their daughter before turning the gun on himself'*". Both headlines featured in different publications regulated by IPSO. The consequent public response led to a surge in signatories to Level Up's petition for a specific provision on domestic homicide reporting in the Editors' Code. At the time of writing, the public petition has been signed by 26,703 people¹⁷.

5. Recommendations to improve and strengthen clause 4

The above evidence makes clear that clause 4 of the Editors' Code of Practice would benefit from a subclause that specifically addressed domestic abuse killings. The existing clause stands as follows:

Intrusion into grief or shock

In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. These provisions should not restrict the right to report legal proceedings.

Given the academic research on the negative impact of romantic framings and the known damage caused to victims' families, Level Up recommends the Editors' Code Committee introduce a subclause to the effect of:

¹⁷ <https://www.welevelup.org/petition/dignity-for-dead-women/>

In cases where a person has been killed by a partner or former partner, care should be taken not to use language which could frame the killing as an act of 'love', or which could be construed to blame the victim for their death.

This amendment would squarely address the specific form of intrusion into grief or shock that has been repeatedly cited by families and put an end to the “vicious circle” of gender discrimination perpetuated by reports that frame homicide in romantic terms. The amendment would also ensure integrity and consistency across all regulated publications.

6. Conclusion

Whilst improvements have been made to reporting practices since the introduction of Level Up's *Dignity for Dead Women* guidelines in 2018, it is evident that a voluntary approach is insufficient in enforcing media standards on this urgent public health issue. Sensitive reporting can save lives. The proposed change to the Editors' Code would ensure that the British media assists, rather than obstructs, national domestic abuse prevention efforts.

In 2015, legislation prohibiting 'coercive and controlling behaviour' was introduced in England and Wales, making Britain a global leader in recognising and legislating against coercive control. Level Up is now calling on IPSO to introduce world-leading media regulation when it comes to the reporting of fatal domestic abuse, which is the devastating but preventable end result of the most extreme cases of coercive control.

This submission is endorsed by Women's Aid, Advocacy After Fatal Domestic Abuse (AAFDA), End Violence Against Women coalition, SafeLives, AVA Project, Welsh Women's Aid, Respect, Beyond Equality, Rights of Women and Dawn Butler MP.