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**BTP MEDIA RELATIONS STANDARD  
OPERATING PROCEDURES 2009**

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This SOP is for the guidance of Media Relations staff. Any suggestions for changes or additions should be sent to FHQ Media Relations.

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#### **FOREWORD BY THE DEPUTY CHIEF CONSTABLE**

BTP aims to deliver a safe railway network and a network on which people feel safe. The media play a very important role in helping us achieve that, so good media relations and positive coverage are vital.

We are a publicly accountable organisation and must be seen to be transparent, responsive and professional. Much more than simply reacting to the ever growing volume of media demands, we should be proactive, aiming to define the media agenda and so contribute to the organisation's operational and business objectives.

As the specialist police service for Britain's railways, we aim to offer a seamless and comprehensive policing service across Britain and that must be reflected in consistent procedures and messaging in our dealings with the media. Reputation management is key to our business, impacting on the very credibility of the organisation as well as on operational performance.

Within the constraints of operational necessity, confidentiality and the needs of the criminal justice system, we should aim to be as open as possible. In general our policy is to release all information, unless there is a positive reason not to.

However, in giving out information we must make sure it is put in a proper context and is not misrepresented. That, in a nutshell, is the role of BTP's media relations staff: to offer advice, expertise and practical help to the rest of the

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organisation. Even when we are dealing with a negative event - a rape, serious assault, or misconduct by a member of our staff - there are positive messages we can inject into our statements that will mitigate its impact.

BTP is committed to reaching out to and building up trust with communities, particularly minority communities, so engaging with parts of the media that can reach those audiences is of particular importance.

*Paul Crowther, Deputy Chief Constable*

### ***ABDUCTIONS/KIDNAPPING (see also Child Rescue Alert)***

In abductions where life is at risk, it may be necessary to seek the cooperation of the media in preventing the broadcast or publication of details until the risk to the victim is over.

A voluntary agreement exists between ACPO, ACPOS and media editors to operate a news blackout in cases of hostage taking, hijack or kidnapping/abduction where life is at risk. This is voluntary and not automatically honoured. However, it is extremely unlikely that a request will be refused. Any such request should be jointly made with local police.

The decision to ask for a media blackout rests with the Chief Constable. The Media and Marketing Department will make arrangements for contacting editors and coordinating with the local police press office.

The Head of Media and Marketing will fax or email editors a letter seeking agreement to the news blackout. The letter must be signed by the Chief Constable or a designated deputy.

Whilst considering the request, the media will maintain the news blackout. In the event of a media editor not accepting a blackout, notice of intention to publish will be given to the police.

The first media briefing should be held within 12 hours. Thereafter, media briefings should be held at least every 12 hours. They should be on the record and on camera but embargoed until after the media blackout is lifted. In the event of a large amount of media interest, BBC or ITV will agree to operating a pool arrangement – including service to overseas TV outlets.

During a news blackout, BTP will consult and advise the media should it be considered necessary for editors to restrict news gathering or photographic activities.

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When the life of the victim is no longer at risk, the media should be notified as soon as possible. An immediate on the record press conference should be held so that the media has every opportunity to publish and broadcast material before any charges are laid.

As far as consideration for the welfare of victims allows, every effort should be made to make them available at the press conference. If they are reluctant to appear, every effort should be made to arrange other media opportunities such as pool facility interviews or provision of photographs.

After the news blackout ends, the media can refer to the fact that a blackout has been in operation.

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### ***ANONYMITY (see also [Naming Individuals](#))***

Generally, details of individuals coming into contact with the police should not be disclosed without their consent.

However, it is important people know that BTP has an open policy with the media. Remember that publicity generated by witness and information [appeals](#) for incidents often helps the police investigation.

Where possible it should also be pointed out that police do not have a monopoly on information and the media may find information from other sources.

BTP cannot therefore guarantee anonymity.

Deceased persons have no rights to anonymity and are not subject to Data Protection or Human Rights legislation. However (see [Fatalities](#)), the wishes of relatives are taken into account.

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### ***ANTI-SOCIAL BEHAVIOUR ORDERS (ASBOs & CRASBOs)***

In England and Wales, the Home Office has issued guidance on publicising Anti-Social Behaviour Orders, with a presumption that [photos](#) will generally be released (including [juveniles](#)). Having said that, there are a number of things to be considered - proportionality, vulnerability, compromising continuing investigations for instance. Before releasing an ASBO photo, consult FHQ Media Relations.

A CRASBO is a "criminal" ASBO imposed post conviction. However, like all ASBOs, they are civil orders (although breaching an ASBO is a criminal offence). This can create reporting difficulties for journalists as reporting restrictions can

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still apply in relation to the criminal offence but do not apply in relation to the added ASBO.

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## **APPEALS**

Media appeals can be a good way of generating publicity, finding witnesses and gathering information. They are one investigative tool amongst many and it is for the Investigating Officer (IO) to decide whether to use it, however, it should be one of the first options an IO considers, not a last resort. Media Relations staff should however provide advice and assistance at an early stage.

If you are aware of a crime / incident, proactively contact the IO and ask if they want an appeal. Point out that appeals get the best take up from the media the closer in time to the incident they are put out. The media do not like old news. Also, point out that there may be criticism if it is perceived there is undue delay in appealing for witnesses, releasing CCTV etc.

The Chief Constable has stipulated that as a general rule, media appeals should not be made more than a month after the incident, unless there are exceptional circumstances. A consideration here is the seriousness of the offence. Media and Marketing Managers will normally make the final decision on this, however, where an officer strongly disagrees, a Chief Inspector or above should be consulted.

The downside of appeals is that they can generate multiple leads that all have to be followed up, thus slowing down an inquiry. Repeated appeals for separate incidents can also raise the fear of crime, so appeals for minor offences may not be appropriate. Also, appeals should not be made where there is no reasonable chance of success.

When issuing an appeal, set up a 'Media Appeal' background log by contacting the First Contact Centre. You will need to provide the NSPIS or CRIME number the incident relates to along with the OIC's details, including police number, location and contact telephone number. The background log number should be issued on your appeal and should contain reference to the Area it relates to. E.g. B5/LSA of 1/1/11.

If you put out an appeal, make sure that you archive it when it is expired (see Press releases).

BTP's Freephone number for appeals is 0800 40 50 40. Use it in that format.

When mentioning Crimestoppers and a reward in an appeal, be sure to mention Network Rail. The following words are a suggestion: "Network Rail, working in

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partnership with the charity Crimestoppers, is offering a reward of up to £1,000 for information leading to the arrest and conviction of cable thieves.”

See also [Crimestoppers/Crimewatch](#).

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## **ARRESTS**

People who have been arrested, are in custody, have been released on police bail or released without charge must not be identified. A press release can confirm the fact of arrest and that 'a xx year old person from (area) is being interviewed/has been bailed in connection with...'

Do not anticipate that someone will be charged – stick to factual information.

Do not imply to the media that the person in custody is guilty.

Generally, do not confirm to the media that someone they name is helping police with their enquiries or has been arrested. Stick to 'a xx year old man/woman...'

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## **ASSAULTS ON POLICE**

The number of officers assaulted on duty is published in the annual Statistical Bulletin available on the website.

Like other victims, assaulted officers would only be identified or have their Identity confirmed with their permission.

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## **BAIL – NO CHARGE**

People who have been given police bail and not charged are not identified to the media. A return bail date is normally given so the journalist can put it in their diaries to follow up, but not a location – the intention is to avoid someone being “doorstepped” as they answer bail.

Individuals who have been charged and bailed ahead of a later court appearance can be named and details given of the charge and court date (see [Charges](#)).

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## **BOMB THREATS / HOAXES**

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Details about bomb threats / hoaxes should be kept to a minimum. Confirming that there was a security alert and details of any evacuations is generally all you can say. (See Terrorism).

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## **BREATH / DRUGS TESTS**

Often at incidents involving trains e.g. fatalities, a breath test is given to rail staff under the provisions of the Transport and Works Act. This is fairly routine. Sometimes the company will do their own "mediscreen" testing of employees. If someone has been breath tested by police with negative result, there is no harm in saying that. If the test is positive, it becomes part of the continuing investigation and we should decline to comment. Similarly for drugs tests.

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## **CAUTIONS, REPRIMANDS & FINAL WARNINGS:**

Cautions are given to adults for minor offences. They are an admission of guilt and give you a criminal record. Reprimands and Final Warnings are given to juveniles on the same basis.

The name of someone cautioned, reprimanded or given a final warning for an offence should not be released or confirmed to the media.

The sex, age and town of residence can be released as long as that information does not identify the person.

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## **CCTV**

The railways are a CCTV rich environment and releasing CCTV can be a powerful aid to generating publicity.

BTP does not own CCTV systems or cameras, they belong to the rail businesses. We do, however, make extensive use of the product. We should only release CCTV for a policing purpose (see Policing Purpose) and in support of an open justice system (see CPS Protocol under Protocols). If we do this we do not generally consult the CCTV owner. However, if CCTV requests are made for other purposes, particularly for entertainment programmes where there is no real policing purpose, these should be referred to the copyright holder.

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## **CHARGES**

If details of a crime have been covered by the media, news of someone being charged in connection with that crime MUST be given to the



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media as soon as possible so that the media can comply with the Contempt of Court Act 1981 – and also balance reports and so reassure the public.

For what can be released, see Naming Individuals. For charges in Scotland, see Scotland.

An example of the information to release is:

'30 year old John Smith from Ilford, Essex been charged with robbery following an incident at Ilford station on 12 December 2007. He is due to appear at Ilford Magistrates Court on 14 January.'

This does not apply to juveniles (under 18) or people charged with sexual offences where the naming of the charged person could identify the victim (jigsaw identification) because of a personal, family or other link or relationship.

Reasons for not releasing details: legal; operational e.g it might prejudice continuing enquiries; it might put the charged person at risk or cause community tensions.

If a case is discontinued before a court appearance and the media has been given details of the charged person, they should be updated.

Do not say that police are not looking for anyone else in connection with an investigation into an incident or crime as this implies that the charged person is guilty. If asked, decline to comment.

It is up to the court to decide whether the accused person is guilty or innocent. Remember that an individual is innocent until proven guilty.

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## **CHILD RESCUE ALERT**

Child Rescue Alert is a system that seeks the assistance of the public where a child has been abducted and it is feared the child will be seriously harmed.

It is an informal agreement between the media and police forces to let the public know that a child has been taken so they can look out for it, the abductor(s), or any vehicle used in the abduction.

The key issue is the preservation of a child's life. The alert has no other aim. The offender can be caught later. Arrests at the time are seen as a bonus.

It works by interrupting television and radio programmes with immediate news flashes that a youngster has been snatched and is at risk of serious harm or death.

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The scheme is based on an American concept called Amber Alert, which was introduced in Texas in 1996 following the kidnapping and murder of nine year old Amber Hagerman. This has now been credited with saving at least 69 children.

**There are four key criteria to be met before a Child Rescue Alert is issued:**

- A child under the age of 18 is missing
- A senior police officer (of at least superintendent rank) feels that serious harm or death may occur to the child
- The child has been kidnapped
- There is sufficient information to enable the public to help find the child

It would not be appropriate for BTP to launch a Child Rescue Alert (CRA) on its own. Liaison will take place with the local force. Consult FHQ Media Relations.  
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## **COMPLAINTS**

It is not BTP policy proactively to offer information about complaints or disciplinary hearings. However, the media often become aware of them. Liaise with the Professional Standards Department before responding.

If a BTP member of staff is proven to have done something wrong, we should apologize on behalf of the organisation. A good rider to include is along the following lines:

*'BTP expects the highest standards from its officers and staff. When one of them falls below those standards it is a matter of great regret. This individual has not only let him/herself down, but also his/her colleagues, who are engaged in important and challenging work that is vital to the security of those using and working on Britain's railways.'*

If the Independent Police Complaints Commission manages an investigation into an incident, all media comment will usually come from them.

If the Independent Police Complaints Commission supervises an investigation, all media comment will usually come from BTP. However, do liaise with the IPCC.  
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## **CONDITION CHECKS**

It is not BTP's role to make condition checks with hospitals for the media. Hospitals will often not give information to the media unless they have a patient name – this is a matter between the hospital and the media. However, we try to

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be as helpful as possible and where we have information on a patient's condition, we should give it out. Information should be kept fairly general.

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## **CONTEMPT OF COURT**

The Contempt of Court Act 1981 applies across the UK and places legal restrictions on reporters when court proceedings become active.

Nothing should be released that could give rise to 'a substantial risk of serious Prejudice' when legal proceedings are active.

Proceedings are "active" when:

- an arrest warrant is issued (granted in Scotland)
- an arrest is made
- a summons is issued
- a charge is laid orally or in writing.

Substantial risk is a moveable feast, but the passage of time between publication and trial and the likelihood of the publication coming to the attention of jurors are important considerations. The convention is that it is assumed you cannot influence a judge, but you may influence jurors.

If someone appeals post conviction, proceedings are active again, but appeals are not heard by juries, so a substantial risk of prejudice is unlikely.

If details of a crime have been covered by the media, news of someone being charged in connection with that crime **MUST** be given to the media as soon as possible so they can comply with the Contempt of Court Act.

The key point from our point of view is never to imply guilt before a trial. Any statements about a person being arrested or charged should be factual – don't editorialize e.g. 'Britain's railways are safer because this person has been caught' is a no no until that person has been convicted.

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## **CRIMESTOPPERS/CRIMEWATCH**

Crimestoppers is a charity that helps police by allowing informants to give information anonymously. The Freefone number is 0800 555111. It is a good idea to use it in appeals alongside a BTP number. BTP liaison with Crimestoppers is through the FIB.

When mentioning Crimestoppers and a reward in an appeal, be sure to mention Network Rail. The following words are a suggestion: "Network Rail, working in

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partnership with the charity Crimestoppers, is offering a reward of up to £1,000 for information leading to the arrest and conviction of cable thieves.”

BBC Crimewatch UK is a national programme and can be a useful last resort for appeals. Help should be given to officers wanting to use this programme, but they should be advised that it can be time consuming and resource intensive. Often they will have to supply detectives to the control room or to go to the studio to answer calls. Investigating officers should make direct contact with Crimewatch researchers in the first instance to see if the programme is interested (020 8752 6735 / 020 8752 5191). Local TV news alternatives are often preferable.

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### **CRIMINAL RECORDS**

Criminal records are confidential and covered by the Data Protection Act. No information about them should be given unless it is publicly quoted in court.

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### **CRISIS COMMUNICATIONS**

If there is a Major or Critical Incident, the Department's emergency procedures will be activated. The Force Major Incident Manual describes what a Major Incident is and Section 12 deals with media liaison. A Critical Incident is:

*Any incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family, and/or the community.*

There may also be other crisis situations where an emergency response from the Department is needed. The emergency call out procedures are described in a separate document (Title).

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### **DEADLINES**

Deadlines are crucial to the media and should be considered when compiling press releases. If you have a target publication/broadcaster, find out their deadlines.

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### **DIVERSITY**

Remember BTP's commitment to diversity and serving all parts of the community. If a story affects a particular community or group, use the specialist media to speak to them.

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In appeals, the colour and gender of suspects / witnesses should always be part of the description – black, white, Asian etc. Do not use police speak (IC1 etc)

Only be specific about the colour and race of an offender if the witness is sure. Only put colour or race descriptions out if they are relevant.

The ethnic background of a victim is not usually relevant unless the crime is racially motivated.

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## **FATALITIES**

Deaths are treated as:

- ◆ unexplained
- ◆ non-suspicious
- ◆ suspicious

It is for an inquest / Fatal Accident Inquiry to determine whether a death is suicide, not for police (see Mental health issues). You can give guidance on this, but insist that only “non-suspicious” is attributable. Always include this information in any statement i.e ‘This death is not being treated as suspicious’.

The media will want to know what happened. With a fatality that is a likely suicide we try to discourage them from reporting in any depth in accordance with the editors’ code of practice on reporting suicide. Avoid sensationalism or gory descriptions, keep the initial statement short and sweet. Here is an example:

FOR RELEASE

*22:06, Sunday, 14 September, BTP received a report of the 18:52 Euston to Manchester Piccadilly service striking someone on approach to Wilmslow station, Cheshire.*

*The train struck a man who was pronounced dead at the scene.*

*This death is not being treated as suspicious and a report is being prepared for the Coroner. The line was handed back at 2300 hours.*

*The dead man is believed to be 51 and from Macclesfield. Fingerprint identification is taking place.*

IF SPECIFICALLY ASKED

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*The body was taken to Macclesfield mortuary. The train was travelling at 50 to 60 mph. He emerged from bushes at the side of the track.*

For non-suspicious deaths in Scotland (see Scotland)

Whilst the statement should be kept short and simple, the Line to Take should include as much information as possible in order to be able to answer legitimate specific questions if asked. Here is the sort of information to record if you have it:

What time?  
Where?  
Who died – man/woman, age, area of residence, occupation?  
How did they die?  
Did they die at the scene?  
Was anyone else hurt? e.g. train driver treated for shock  
Train(s) involved? e.g. 18:16 Paddington to Bristol to Cardiff First Great Western service, 4 car diesel / electric  
How fast was the train travelling?  
Numbers of passengers on board?  
What happened to them? e.g. taken away by bus  
Who reported it?  
Who attended?  
Where was the body taken?  
What disruption was caused? (Refer to the rail operator)  
Is there a police investigation / investigation for the coroner?  
Are you looking for witnesses?

### ***Identifying the deceased***

Personal details of the deceased should not normally be released in England and Wales until the inquest has been opened.

However, sometimes it is appropriate to confirm this information once:

- 1) There has been a formal identification
- 2) The next of kin have been informed.

unless there is a specific request from the family not to. We would normally respect such a request. The details will come into the public domain anyway once the inquest is opened. In Scotland, the procedure is slightly different (see Scotland). However, if we have withheld a name and the media find out by other means, we should confirm it, if asked.

The Coroner's Liaison Officer or officer dealing will normally be the one to release identities. It is good practice to put a message on the incident log as

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soon as possible. Anyone looking at the message will then be able to confirm an identity.

The details (if known) to be released should include the full name, age and street address (not number), occupation and nationality.

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## **FEAR OF CRIME**

An important business objective for BTP is reducing the fear of crime. Nothing you do should raise the fear of crime, so even when dealing with a negative event, like an assault or rape, reassurance messages are essential.

Occasionally, fear is fuelled by media coverage, so it is important to try to put context around everything we do – the rail system is essentially a low crime environment.

However, be careful not to dismiss the importance of a crime – for the victim it is important that the incident in which they have been involved is not under-stated in the media.

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## **GRAFFITI**

Graffiti is criminal damage, it increases the fear of crime and costs a fortune to clean up. Those who write graffiti on the rail system also often put themselves at risk. There is a brief (Public Information Sheet folder, file Info06) in the Media Relations G-drive folder. We should always refer to graffiti vandals, rather than artists. If you need a neutral phrase, use graffiti writers. Graffiti vandals want their work seen as widely as possible. For that reason, do not release pictures of tags except in exceptional circumstances and consider carefully before releasing pictures of other graffiti damage.

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## **FIREARMS INCIDENTS**

As long as it will not compromise an operation or investigation, the media can be informed of incidents attended by armed officers. Liaise with the local force.

If shots are fired we can confirm that, but not details of how many rounds were discharged.

In a situation where media coverage (perhaps the armed person is listening or watching the media) could adversely affect the firearms situation, the media would not be notified whilst the incident is on going.

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## **HOLDING STATEMENTS**

If you are dealing with breaking news, one of the very first things to do is draft and agree a holding statement. 'We are responding to an incident' is not enough. The purpose of the statement is to give a brief description of what is occurring, show we are in control, and attempt to control media reaction.

'BTP is responding to an incident at (location). It was reported by a train driver at (time) and police have deployed from (location ) and will arrive on scene shortly. We are also in contact with the local police and Network Rail who are sending a Manager to the scene,' doesn't say much but gives the impression of a professional service that is in control. A holding statement will buy you a great deal of time to find out more information and produce a follow up statement.

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## **JUVENILES**

Defined as anyone under 18. They are rarely named before conviction. If they are charged, their age, sex and town of residence can be given, together with details of the charge, court date and location. Seek advice before releasing anything else.

The age of criminal responsibility in England and Wales is currently 10, in Scotland it is eight, although the Scottish Government has proposed raising it to 12. That would bring Scotland in line with most of Europe and there is pressure for the rest of Britain to follow.

If a child below the age of criminal responsibility is involved in an offence, they would be dealt with by police. The overriding principle is the safety of the child and police have an obligation to ensure the child is in a place of safety. The usual outcome would involve police speaking to the parents/guardians, and there may be a referral to Social Services and the Youth Offending Team.

Young children can often be involved in route crime offences. It is important to emphasize the safety hazards rather than the criminal aspects of such cases.

If asked why we have not prosecuted someone under age, the following may be useful:

'The person involved in this incident/offence is below the age of criminal responsibility, which means they cannot be held responsible under the law. In such cases, BTP involves the child's parent(s) or guardian(s) and may also alert social services or other agencies within the criminal justice system.'



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When releasing photos of unknown suspects who may be juveniles, the same considerations as for adults apply. However, the question of vulnerability should be given particular weight and it is recommended that the following three questions be asked:

- 1) Is it a serious crime?
- 2) Have other means been tried to identify them?
- 3) Is there any reason to believe they may be vulnerable or become vulnerable through release of the images?

If the answers are "Yes" to 1) and 2) and "No" to 3), then the pictures should normally be released.

The question of vulnerability should also be given particular consideration when deciding whether or not to issue an ASBO photo of a juvenile.

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## ***LINES TO TAKE***

Whenever there is an incident, issue or crime that is likely to attract media interest, we should prepare a Line to Take, before media enquiries begin if possible. The LTT is a basic tool of the press officer's trade.

LTTs are usually reactive statements and/or background information on incidents and issues. Record as much information as possible, and show clearly what is FOR RELEASE, FOR GUIDANCE, BACKGROUND and what is NOT FOR RELEASE. Indicate your source(s) at the bottom. Keep the LTT updated.

A good LTT will cover any question a journalist is likely to ask. Even if it is information we are not going to disclose, record it in the LTT.

There should only be one current LTT and all the information should be in one place. If you update an LTT by creating a new one, copy and paste all the previous information into the new one. Don't forget you can add attachments to an LTT if there is background documentation, photos etc.

Make updates transparent. For instance time and date them, so that we can see looking back what the sequence of release of information was.

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***MAJOR/CRITICAL INCIDENTS - see CRISIS COMMUNICATIONS***

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## ***MEDIA CENTRE***

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The BTP Media Centre [www.btp.presscentre.com](http://www.btp.presscentre.com) shows all our press releases. If media representatives register they can add themselves to lists for automatic distribution and see embargoed material.

The back office functions <https://www.btp.presscentre.com/backstage> include call logging and media monitoring.

Call logs should be created for every media call – as far as practicable. See also Lines to Take.

The Incident Updates section is to be used for major incidents or crimes, where we are giving regular updates. At the end of the incident, the updates should be archived or consolidated into a press release.

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## **MENTAL HEALTH ISSUES**

Care needs to be taken when referring to people with mental illnesses. Avoid prejudicial phrases such as “the mentally ill” – use “mental health patients” or “people with mental health problems”.

“A person with...” is preferable to “A person suffering from...”

Mental health patients, even in a secure unit, should not be described as “inmates”. They are “discharged”, not “released”.

In the case of suicides or attempted suicides, never make a diagnosis e.g. “He was psychotic / schizophrenic”. You can give guidance, not for publication, that the person was receiving treatment for a mental health problem.

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## **MISSING PERSONS**

We sometimes received requests from other forces or ACPO/ACPOS to circulate missing persons. These are handled by the FIB/AIBs, not Media and Marketing.

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## **MURDER / SUSPICIOUS DEATH**

Murder is the only crime on the railway where BTP does not automatically have primacy. A discussion will take place at Chief Officer level to decide who will take primacy.

This does not mean we don't say anything, but keep any holding statement brief and factual with details such as the sex of the victim(s), time and location of crime.

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Avoid releasing anything that might lead to the next of kin finding out through the media, before police have informed them.

Liaise with the Senior Investigating Officer (SIO).

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## **NAMING INDIVIDUALS**

Generally, details of individuals coming into contact with the police (e.g. victims / witnesses) should not be disclosed without their consent. The names of people under investigation are not released.

There are circumstances in which we regularly name individuals (see Fatalities).

When a person has been charged in England or Wales with an offence, the details of the person charged (unless they are under 18 or are charged with a sexual offence and identifying them may lead to the identification of the victim) can be confirmed. This includes:

name; age; occupation; nationality; street address (but not number); offence charged; date, time and place of court appearance and whether on bail or not.

For people charged in Scotland, see Scotland.

An arrested person is not named. A press release can confirm the fact of arrest and that 'a xx year old person from (area) is being interviewed/has been bailed in connection with...'

A person reported for process is not named, but the same information as for an arrest can be given.

In Scotland, any information or statement made to the press or media concerning an arrest or detained person must conform to guidelines laid down by the Lord Advocate governing the release of information to the media. In practice, slightly less information than in England and Wales is generally available.

Generally, do not confirm the name of someone arrested or being investigated if asked to by the media. We do sometimes give guidance on this, particularly in high profile cases. If in doubt, consult FHQ Media Relations.

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## **NUCLEAR MOVEMENTS – SEE PROTOCOLS**

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## **PENALTY NOTICES FOR DISORDER**

As with cautions, people issued with PNDs are not identified.

However, if the individual has complained directly to the media about police action in issuing the notice, that can be taken as consenting to publicity and justifying a response from BTP.

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## **PHOTOS – See also Anti-Social Behaviour Orders**

The policy - PNLD (D60550), is attached here at Appendix C. ACPO guidelines are in the shared Media Relations folder. These say that media organisations should make every effort to obtain prisoner photographs from elsewhere before contacting police. Where someone has been on bail and attending court, the media should have been able to obtain a photo for themselves.

When releasing photos of unknown suspects who may be juveniles, the same considerations as for adults apply. However, the question of vulnerability should be given particular weight and it is recommended that the following three questions be asked:

- 1) Is it a serious crime?
- 2) Have other means been tried to identify them?
- 3) Is there any reason to believe they may be vulnerable or become vulnerable through release of the images?

If the answers are “Yes” to 1) and 2) and “No” to 3), then the pictures should normally be released.

The question of vulnerability should also be given particular consideration when deciding whether or not to issue an ASBO photo of a juvenile.

When releasing a person's picture the following note should be appended:

*BTP retains copyright of the attached images and will not permit them to be distributed, reproduced, or published in any form of media, electronic or otherwise, except in relation to the current trial of xxx. Under no circumstances will the police accept liability if the photograph(s) of the above named individual(s) are distributed, reproduced, or published in any form of media, electronic or otherwise, other than for the above purposes. Permission to reproduce this image is only given for 1 month from xxx.*

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## **POLICING PURPOSE**

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The Association of Chief Police Officers (ACPO) defines a policing purpose as:

- Prevention and detection of crime.
- Apprehension and prosecution of offenders.
- Protection of life and property.
- Maintenance of law and order.
- Rendering assistance to the public in accordance with force policies and procedures.
- Reducing the fear of crime.

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### ***PRE-TRIAL & PRE-VERDICT MEDIA BRIEFINGS & INTERVIEWS***

Background briefings are useful for maximizing coverage following a trial. These pre-trial and pre-verdict media briefings give the media more time to put together packages on complex stories.

A controlled briefing is a good way of ensuring accuracy and minimising distress to victims or their families.

It should be made very clear (put it in writing) on what basis the briefing is being given, and if and when any pre-recorded interviews can be used. Journalists should sign an agreement promising not to use any of the material until a guilty verdict is returned. None of the material will be used before the end of subsequent proceedings in the event of an immediate appeal.

They should be warned not to approach witnesses before they give evidence in court.

When giving background briefings to the media (backgrounders), nothing should be released that could prejudice a forthcoming trial or compromise covert police tactics.

Care should be taken to ensure that information given to the media is confined to that which has already or will be aired in open court.

The media should be warned of the possibility that anything mentioned during a pre-trial or pre-verdict briefing could be ruled out at a later stage.

All media briefings on cases should be carefully controlled and made available to all relevant media that would be interested. Journalists attending a media briefing should sign an attendance sheet and be given a note reminding them of the provisions of the Contempt of Court Act 1981.

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A pre-trial briefing is disclosable at court. A text of the briefing should be written up into a formal record so that the Senior Investigating Officer (SIO) can disclose it to the defence – together with a list of all the media representatives attending. Journalists should be reminded that their notes and footage must be retained and produced if requested by the court.

In the event of a not guilty verdict, all material must be destroyed or returned unused.

Victims, or their relatives, should be informed of the media briefing through their Family Liaison Officer.

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## **PRESS RELEASES**

Press releases should always be checked by another member of the team before they are sent out.

You only get one chance to grab a journalist's attention, headlines and opening paragraphs are therefore very important. Ideally they should sum up what the story is, give all the essential information and make the journalist want to cover the story.

Dates should be in the form 2 May 2008 or Friday, 2 May 2008.

Time should be written in the 24 hour clock (e.g. 16:30 hours) and should be before the date.

Headlines should be in capitals.

Press releases posted in BTP's Media Centre should be checked once a month. After a month, any witness appeals or press notices with photographs of individuals attached (e.g. post-conviction releases) should be re-set to "draft" and the heading changed to include the word "ARCHIVED" at the beginning. This tells us that the release was sent out, but has since been taken off line. This also applies to post conviction and other press releases naming individuals, but without photographs attached.

Area Media and Marketing Managers are responsible for checking their Area's releases each month. The National Pressdesk will also make periodic checks. This does not apply to Supermail releases, which are not viewable on the public Media Centre.

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## **PROFESSIONAL STANDARDS – see COMPLAINTS**

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## **PROTOCOLS**

There are a number of protocols in place you should be aware of:

### **NATIONAL CRIME STATISTICS PROTOCOL**

There is a specific protocol in place with the Rail Safety and Standards Board, Network Rail and ATOC to let each other know before releasing any national safety / crime statistics. This should only affect Media Relations at FHQ.

### **CPS PROTOCOL**

This is between the Crown Prosecution Service, the police service (ACPO) in England and Wales and the media detailing the process for releasing prosecution material after a trial. It can be found in the shared Media Relations folder. The Crown Office, ACPOS and Scottish forces are starting to work out a similar arrangement - for the moment production of evidence post-trial for the media is dealt with on a case by case basis.

### **OPERATION ARGENTINA**

This covers nuclear train movement incidents and is at Appendix D. Basically, liaise with FHQ.

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## **PURSUIITS**

Details of police vehicles involved in road traffic collisions during a pursuit of a suspect can be given. Stick to the facts. No implication or suggestion should be made as to the cause or any fault.

If a police driver has been suspended from driving duties pending the outcome of the investigation, that should be confirmed. It is important to emphasize that suspension is a normal procedure in such incidents, in part for the officer's welfare.

Serious cases, which may have resulted in a fatality, are referred to the Independent Police Complaints Commission which would decide who would take the media lead.

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## **RAIDS / ARREST OPERATIONS**

This can be a good way of generating coverage. If it is a big operation, consider getting the media organisation to sign an indemnity (available in the shared

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Media Relations folder). In any case, they should be given the NOTE TO MEDIA REPRESENTATIVES attached to the indemnity.

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***ROBBERY*** – see *Thefts / Robberies*

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## **SCOTLAND**

Scotland has a different legal system from England and Wales. Bear the following points in mind:

### **Crown Office and Procurator Fiscal Service**

In Scotland, the Crown Office and Procurator Fiscal Service (COPFS) is responsible for the prosecution of crime, the investigation of sudden or suspicious deaths and the investigation of criminal complaints against the police.

### **Non-Suspicious Deaths**

Any non-suspicious sudden death will be investigated by the police and the circumstances reported to the local Procurator Fiscal (PF).

In the event of a non-suspicious death on the rail network in Scotland, British Transport Police would release the following to the media enquiries:

“British Transport Police can confirm that at (time) hours on (date) a (age) year old man/woman died after being struck by a train in the (location) area of (location). There would appear to be no suspicious circumstances surrounding his/her death and a full report will be submitted to the Procurator Fiscal. His/her relatives are aware. The train involved was the (time) hours (station) to (station) service.”

Once the circumstances have been reported to the PF no further comment should be given and enquiries directed to the Procurator Fiscal. Normally, the deceased would not be named. In the event of considerable media interest and following consultation with the family, brief personal details may be released, if next of kin has been made aware.

For a suspicious death, advice will be sought from the relevant PF on how to proceed. This may ultimately involve a joint investigation between BTP and the local force involved, with Senior Investigating Officers (SIOs) appointed from each force.



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### Charges

If someone is charged with an offence in Scotland, the police libel (prefer) a "holding charge" and a standard police report is sent to the PF. The PF considers the circumstances of each case and "indicts" the person on a particular charge for which they will appear in court. The PF will give those details.

The media may ask what a person has been charged with, but that is a matter for the PF. The standard response should be:

"A xx year old man/woman has been arrested in connection with an incident at xxxx and a report has been submitted to the Procurator Fiscal."

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### **SEXUAL OFFENCES**

Details of sexual offences can be given as for any other crime, provided that the information does not lead to the identity of the victim. Avoid excessive or salacious detail and bear in mind the need to put crimes in context (see Fear of Crime).

In the early stages of an inquiry, it may be necessary to refer to a serious sexual assault having taken place. If it later becomes clear that the victim was raped then the media should be told accordingly.

The age and sex of the victim can be given, as can the area in which they live. If the victim is a family member, do not release details of anyone charged as that could identify the victim.

The Sex Offenders Act 1997 and the Data Protection Act 1984 only allow the identification and release of information to the public about an individual if it would (a) prevent or detect crime or (b) prevent injury or damage to the health of a person.

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### **STATISTICS**

Crime statistics are published in the Annual Report and Statistical Bulletin and are on the website [www.btp.police.uk](http://www.btp.police.uk)

Statistics are also published as part of particular initiatives / operations, as answers to Parliamentary Questions etc. BTP media relations staff will provide any published statistics (as above).

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The policy for dealing with ad hoc requests for statistics is as follows:

Requests for unpublished statistics should be treated on their merits. You should point out that we have very limited resources and that these requests take up staff time.

If the request is reasonable, Strategic Services will supply the data within seven working days.

Bear in mind that if you provide statistics for one media outlet, then to comply with BTP policy in being fair to all, you would have to supply similar data to others if asked.

Requests for specific local statistics should generally be discouraged.

If the figures are time consuming to obtain, the request should be turned down. We have limited resources and have to prioritise. It is open to the media to request this and other data under the Freedom of Information Act. Any such request should be made in writing to the Freedom of Information Manager (Brian Coleman) at FHQ. This can be done by email:  
[brian.coleman@btp.pnn.police.uk](mailto:brian.coleman@btp.pnn.police.uk)

Always make stakeholders aware when releasing figures that refer to them. A protocol exists with NWR, ATOC and the RSSB about the release of national statistics relating to safety/security. Refer to FHQ.

Crime statistics can be misleading and fuel the fear of crime, so you should always attempt to put them in context. A generic Crime Statistics Information Sheet is attached to all FOI responses relating to crime statistics. This is at Appendix A. You can tailor this to make it relevant to the particular figures being released.

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## **SUICIDES**

See [Mental health issues](#) & [Fatalities](#)

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## **SUMMONSES TO COURT**

Being summonsed is really the same as being charged but without being in custody. Just like charges, summonses can be dropped.

Once a person has received a summons, which will specify a court date, they should be treated as if they had been charged (See [Charges](#))

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## **TERRORISM**

Enquiries related to terrorism are generally dealt with by FHQ Media Relations. However, a background brief is kept updated on the Press Centre and this can be used as general talking points.

If an unattended item, suspect package, bomb threat or bomb hoax provokes media enquiries, we should confirm there is a suspect package, bomb threat, or other security alert, any details about station closures, interruption of service, etc. If explosives officers attend, we can confirm that, and the fact of any controlled explosion carried out. Details of when explosives officers were called and their arrival time should not be given. We can also confirm the result if it is negative (turned out to be lost property etc.). If the item is believed to be a deliberate hoax or a viable device, check with FHQ Media Relations or the Counter Terrorism Support Unit before releasing information.

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## **THEFTS / ROBBERIES**

An outline of items stolen and their value is usually given. However, liaise with the Investigating Officer (IO) first, particularly if the Royal Mail is involved. Avoid giving too much information about Modus Operandi (MOs) without checking with the investigating officer.

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## **TRIALS**

Most criminal court proceedings are open to the media. However, judges can impose reporting restrictions.

When speaking to the media after a not guilty verdict, do not say that police are not looking for anyone else in connection with the crime as this implies that the defendant was guilty.

It is up to the court to decide whether the accused person is guilty or not guilty. Remember that an individual is innocent until proven guilty.

Be careful not to give information that could prejudice forthcoming court proceedings.

If the media approach you for pictures of evidential items shown in court – or to photograph of film such items – you should agree this with the Crown Prosecution Service or Procurator Fiscal (see [Protocols](#)).

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At the conclusion of a court case, do not criticise sentences.

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## **VICTIMS**

Victims in crimes / accidents / incidents are generally not named without consent. If the media has a name and asks you to confirm it, in most cases you should not. In high profile cases consult FHQ Media Relations.

We are often asked to contact victims, or source victims for stories on behalf of media organisations. The first consideration here should always be the interests of the victim.

Many people want to speak to the media and for some it is part of the healing process, so to a certain extent we have a duty to pass on any offers that are made. However, this must be done sensitively. Where possible, speak to the officer in the case to gauge how the person might react. If he or she advises against it, don't contact the victim.

If it is not urgent e.g. a feature piece, offer to pass on a letter from the media organisation. Send this with a covering letter – a template is at [Appendix B](#). Sometimes payment is offered for stories, we should not get involved in financial negotiations or advising victims in this area.

There is a balance to be struck between the interests of individual victims and use of our own resources. There are some organisations who regularly pick up on news items and ask us to approach victims so they can sell the resulting feature. Each request should be treated on its merits. Similarly, "can you find a victim for me?" can be a time consuming and delicate process that will often yield little for BTP in the end. Weigh up the costs and benefits before asking officers to spend time on these requests. If it all goes wrong, the victim is likely to blame BTP as well as the media organisation.

If victims agree, or specifically ask for their details to be released to the media, release their details. They do have the option of agreeing to speak to the media on the understanding that their personal details are not published.

Victims are entitled to ask that their identity is withheld. If they ask for no media publicity at all, it is up to the judgement of the Investigating Officer (IO) to consider whether it is in the interest of the police investigation for media publicity to be given to the crime. If media ask about a particular incident, where no publicity has been decided on, we cannot mislead them. Treat each case on its merits and either decline to comment or confirm minimum details.

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Victims or their relatives may wish to issue photographs or tribute statements. In any case, the media will ask for them. We should offer ourselves as a facilitator for this and also offer victims advice on dealing with the media if they want it.

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## **WARRANTS**

Someone subject of a warrant should not be identified or have their identity confirmed without the Investigating Officer's (IO) agreement.

Their details can be given when they are charged, unless they are juveniles.

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## **APPENDIX A**

### **IMPORTANT INFORMATION ON CRIME STATISTICS**

Crime and performance statistics should be treated with caution as misinterpretation or misrepresentation of data can fuel the fear of crime.

When making use of crime data, please bear the following points in mind:

1. Crime statistics are not always accurate indicators of levels of crime. Police activity to target particular offences, changes in reporting patterns and other factors, such as an increase in the size of the infrastructure, can affect crime figures dramatically.
2. Crime statistics need to be viewed in their context – for instance busy stations will inevitably generate more reported crime than those that are less busy. Hundreds of millions of passenger journeys are made safely each year.
3. Apparent anomalies, such as more crimes being detected than have been reported, are due to the fact that statistics reflect crimes and detections recorded in the period. Detections may relate to crimes reported in earlier periods.
3. Comparisons over short periods, or between different times of year, are particularly subject to misinterpretation. Long term trends are usually a better indication of the true picture.
5. The Home Office introduced a National Crime Recording Standard (NCRS) that all police forces across England and Wales were required to adopt. The BTP adopted this standard on the 1<sup>st</sup> April 2002. The basic principles of NCRS are that if on the balance of probability a crime has been committed it is recorded as a crime. The standard has made crime recording more victim focussed and increased the number of recorded crimes, so direct comparisons with previous years are not always possible.

### DEFINITIONS

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Crime/offence figures are collated from the British Transport Police's computerised crime reporting system, "CRIME". The recording of crime is not static and the figures represent a snapshot in time, i.e. the state of the system at the time the data was extracted. Offences can change category, be added, or be "no crimed" so apparently similar data may vary.

Crime statistics are broken down into the twelve crime categories now used by the British Transport Police to reflect Home Office practice more closely. Crime groups are within two categories, notifiable offences- serious offences reported to the Home Office (crimes in Scotland) - and non-notifiable offences - less serious offences not reported to the Home Office (offences in Scotland). In Scotland, all crimes and offences are reported to the Scottish Executive and published by them.

BTP's geographic Area commands each cover large parts of the country. For instance, the Wales & Western Area covers the East and West Midlands, the South West of England and the whole of Wales. L Area includes London Underground and Docklands Light Railway.

We make every effort to ensure accuracy of crime figures. Internal audits are carried out regularly and BTP is subject to inspection by Her Majesty's Inspectorate of Constabulary.

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## **APPENDIX B**

Dear xxx

Following the crime/incident you were involved in at xxx, we have received the enclosed letter from xxx

It is entirely up to you whether you take up this offer and we pass it on solely for your information. We do not endorse or vouch for this organisation and I can assure you that we have passed on none of your personal details to them.

There can be benefits and drawbacks to speaking to the media and you may want to seek advice from a friend, legal representative or an organisation such as Victim Support before deciding. You could also consult the police officer who dealt with your case.

If you have any specific questions, please do not hesitate to contact me.

Yours sincerely,

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## **APPENDIX C**

### **Release of Images to the Media**

The media is a very powerful tool and can be invaluable in identifying and tracing persons of interest to the police. The release of other images can also help gain publicity for an appeal or good court result.

There are however, risks associated with the release of images, which can lead to evidential and legal consequences.

### **Objectives**

Most releases of images to the media will be in pursuit of one or more of the following objectives:

- A To identify an unknown offender or suspect
- B Seeking information as to the movements or whereabouts of a victim, witness or vulnerable person
- C Seeking information as to the movements or whereabouts of a named suspect or person wanted by the police
- D To warn the public regarding a dangerous individual
- E To support an open justice system by publicising convictions
- F To appeal for information concerning a crime or incident

### **Considerations**

The release of an image of an offender can impair subsequent identification evidence and depending on how widely the image is published can lead to suggestions that an individual cannot receive a fair trial.

The release of images that reveal information that you may want to question a suspect about in interview can also be counter-productive.

Therefore before any release is made full consideration must be given to the evidence available in the case, the current lines of enquiry and the available intelligence. Where other practicable and expeditious means of identifying an unknown offender exist they should be explored before any image is released, unless there is a specific urgency or there are issues affecting public safety or a threat to life.

In serious or complex cases the issue should be discussed with the CPS or Procurator Fiscal before any release is made.

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In those cases where it is considered necessary to release images to protect the public, liaison should also take place with the local forces likely to be affected by the release of such information. This might include the force on whose area the crime was committed and on whose area the suspect is thought to be at large.

There have been a number of cases where the wrong pictures of individuals have been released in error and the Force has been subject to civil claims for damages.

It is therefore essential that images are carefully checked against the available evidence and intelligence before any release is made.

It is also essential if at all possible to obtain copies of the publication and reporting of the images, so that any later challenges regarding identification or fairness can be properly dealt with. This may include press cuttings and videos of news and media reporting. The Media Relations Manager at FHQ can help with national cuttings and video clips, but local newspaper coverage should be sourced locally, perhaps through local police media departments.

### Policy

1. Images subject of this policy, include still photographs, video or CCTV stills or footage, E-fit images and artists impressions.
2. In all cases where an investigating officer considers it necessary to release images to the media the images must be checked against all available evidence and intelligence to ensure they are images of the person sought or the correct incident/crime.
3. In serious or complex cases the issues should be discussed with the prosecuting authority wherever possible, and their views noted.
4. Advice should always be sought from the Media Relations staff regarding the content and circulation of the release.
5. *To identify an unknown offender or suspect*  
*Seeking information as to the movements or whereabouts of a victim, witness or vulnerable person*  
*To appeal for information concerning a crime or incident*  
*To support an open justice system by publicising convictions*  
An officer of the rank of Inspector or above may grant authority to release the images, having considered the issues raised in section 2 above.
6. *Seeking information as to the movements or whereabouts of a named suspect or person wanted by the police*  
*To warn the public regarding a dangerous individual*  
An officer of the rank of Superintendent or above may grant authority in writing to release the images, having considered the issues raised in section 2 above and ACPO/ACPO(S) guidelines.

When releasing a person's picture the following note should be appended:



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**BTP retains copyright of the attached images and will not permit them to be distributed, reproduced, or published in any form of media, electronic or otherwise, except in relation to the current trial of xxx. Under no circumstances will the police accept liability if the photograph(s) of the above named individual(s) are distributed, reproduced, or published in any form of media, electronic or otherwise, other than for the above purposes. Permission to reproduce this image is only given for 1 month from xxx.**

Following a release of images the investigating officer should where possible obtain copies of the publication and reporting and retain these items as unused material.

9. In England and Wales, the Home Office has issued guidance on publicising Anti-Social Behaviour Orders, with a presumption that photos of those subject to such orders will generally be released. Consult a Superintendent or Media Relations staff before releasing ASBO pictures.
10. There is a separate policy relating to the release of images to a restricted non-media audience (e.g. giving images of known shoplifters to retail staff).

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## **APPENDIX D**

### **NUCLEAR INCIDENTS (OPERATION ARGENTINA)**

#### **MEDIA PROTOCOL**

##### **Background**

The nuclear industry uses rail as its primary mode of transport. BTP has a role in responding pro-actively and reactively to incidents involving movements of nuclear material on the rail system.

All used nuclear fuel is transported in heavily shielded, purpose built containers – known as flasks. Constructed from forged steel more than 30cm thick, each flask typically weighs more than 50 tonnes.

Major incidents will be dealt with in accordance with the BTP Major Incident Manual procedures. For other nuclear related media interest the following applies.

##### **Process**

In the event of an incident, media enquiries should be referred to National Pressdesk 020 7267 6100. FHQ Media Relations will provide a press release

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that can be given out from the Force Control Rooms/First Contact Centre. In the event of non-availability, refer to the Duty Officer, FCRL.

Liaison will take place with the local force/forces and DRS (Direct Rail Services 01228 406600 or Eva Foran ([eva.foran@drsl.co.uk](mailto:eva.foran@drsl.co.uk)) 07736 899055.

If appropriate, a senior officer will be made available for media interviews.

**Key messages:**

- ◆ BTP has responsibility for policing the rail network, including the movement of nuclear flasks. This is undertaken in close co-operation with the operators (DRS), local police and the Civil Nuclear Constabulary.
- ◆ The threats to such movements are constantly reviewed and appropriate action taken. In the past flask trains have been subject to action by protestors. This has taken the form of direct action such as obstruction of the line (lock ons), as well as lawful demonstrations and leafleting.
- ◆ Any obstruction of the railway is unlawful and will not be allowed. However, BTP is willing to engage with protestors to facilitate lawful protest.
- ◆ BTP has access to the latest intelligence through the Anti-Terrorist Branch at New Scotland Yard and the Security Service.
- ◆ All movements of nuclear material are conducted in accordance with the Nuclear Industries Security Regulations 2003 which are administered and enforced by the Office of Civil Nuclear Security (part of the DTI).
- ◆ Operational safety is a matter for DRS and the relevant agencies. Her Majesty's Railway Inspectorate (HMRI) and OCNS audit and approve the company's safety and security systems.
- ◆ Most deployments of police to locations where nuclear material is passing through are purely precautionary.
- ◆ BTP officers and control rooms are briefed on relevant locations and contingency and response plans.
- ◆ Patrol patterns take into account nuclear movements, exact details of which frequently change at very short notice (itself giving additional security).
- ◆ The safety record of moving used nuclear fuel by rail is exemplary –material has been transported in this way since 1962, travelling over 8 million miles without any incident involving the release of radioactive material.

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