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Prejudicing a criminal case

What you can and can't say to the media

1. The golden rule is "**innocent until proven guilty**". Nothing we say should suggest an identifiable individual is responsible for a particular crime (even if he/she has confessed - pleas can change).

2. **BEFORE** any arrest is made (or warrant issued), you can safely give factual details about an incident without prejudicing the inquiry.

- These should not identify the offenders (if known) or victims of the crime (without their agreement).
- You may want to hold some details back for operational reasons.
- You should avoid giving details of *modus operandii* (mo) which could help other criminals.

3. **Disclosure** - New rules on disclosure mean we must have a record of everything we have told the media - but shouldn't unduly restrict what we can say.

4. **Descriptions** - Very important to give these when we want public assistance, but remember:

- Essential to keep record of any descriptions issued (for disclosure purposes)
- Must **not** be given after arrests have been made (prejudicial to case)

5. **Arrests** - While a suspect is under arrest, or after charging, proceedings are active under the Contempt of Court Act 1981. There are severe restrictions about what can be given to the media without running a serious risk of prejudicing the case - only the basic details of the alleged offence can be issued. For this reason, it is vital for the media to be aware if arrests have been made. Under no circumstances should an arrested person be identified to the media before being charged.

6. **Charges** - Essex Police policy is as follows:

- If a suspect has been **charged and kept in custody** to appear before the next available court, then name, age, address, occupation, charge, and date and time of hearing can be given
- If suspect has been **charged and granted police bail** he/she should not be identified until the day of the first court appearance. However age, sex, home town, charges, and court date/venue can be given

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NB Juvenile offenders (under 18s) MUST NEVER be identified.

If in doubt, check with the Press Office on HQ extension 50621 or (01245) 452450.

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Media Interviews

Be prepared and be positive

- Check the interviewer's name, who they work for and why they wish to speak to you.
- Know what you want to say, and what you DON'T want to say - think of the most difficult question, and how you would answer it.
- Have 2 or 3 main points, and make sure you use the opportunity to get them across.
- Use simple language and avoid jargon, initials and abbreviations.
- Speak clearly and go at your own pace - don't let the interviewer hurry or sidetrack you.
- Tell the truth, and don't pretend or speculate.
- Be polite. Never say "No comment" - If you can't tell them something, explain why. Don't be afraid to say "I don't know".
- Never accept an incorrect statement - refute it immediately.
- Don't waffle, make sure you have facts, anecdotes or examples to illustrate your points.
- Don't go "off the record" - there is no such thing.
- For TV and radio interviews, ALWAYS ask what the first question will be, whether you are going out "live" or being recorded, and how much time you will have.
- Be positive, not defensive. Assist the media if you can - they allow YOU to get information to the public, and present a positive image of Essex Police.
- Don't be afraid to ask the reporter to wait a few minutes to give you time to get the facts and think about your message.

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Using the media proactively

Effective media liaison can bring the police great benefits.

Through this line of communication, officers can reach the public with important information, such as:

- appeals for witnesses or leads
- crime prevention advice
- public safety guidance
- campaigns aimed at reducing offences
- good police work which fosters community support
- facts and figures which put crime into true perspective

For investigators, one news release can bring the desired result, saving days and weeks of inquiries. This has been proved time and time again.

How do you go about it?

Take the time to build up strong relationships with your local media. Time spent forging good working relationships will pay dividends in terms of the amount - and quality - of coverage that the force receives.

At local level, each division should have in place a regular briefing session with the media, ideally daily, to advise journalists of incidents and developments.

This should operate on a mutual benefit basis. Don't turn off the journalists by talking only when help is required from them. On occasions, you will not be seeking information. But remember that every story about a burglary or crash reminds the public that such things can and do happen and stands as a mini-prevention initiative in its own right.

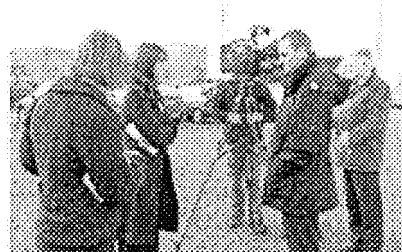
It's sometimes easy to overlook newsworthy stories because they may seem like part of a normal working day to a police officer. For example, police officers do many courageous things in the line of duty, or charitable acts which they don't always think to shout about, and yet they are good, positive news stories. And remember: Anything involving animals is ALWAYS newsworthy.

The press office can help you to maximise coverage for stories. Each division also has a media communications coordinator (MCC) who can assist with local initiatives and publicising local good news

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Talking to the Media

Divisions are encouraged to maintain good, day-to-day contact with their local media, without recourse to the Press Office. However, in the event of an incident which warrants wider coverage, the Press Office can be contacted to arrange this. It is also available to advise on the promotion of divisional initiatives, the content of news releases and on what should or should not be released to the media.

The Press Office at police headquarters is open from 7.00am until 5.30pm Monday to Friday and from 8.00am to 4.00pm on Saturday and Sunday.

The telephone number is 01245 452450 or extension 50622.

If there is a need to make contact outside these hours, the on-call press officer can be alerted through the duty inspector at Force Information Room.

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stories. Press officers and MCCs will be happy to discuss by phone or face-to-face any ideas you have for stories and advise on the best possibilities for coverage.

It is essential to call the press office if you want to achieve regional or national impact, including radio and television coverage.

Press officers can offer advice on gaining maximum impact, write and issue news releases, arrange a press conference and, when appropriate, contact appeal programmes such as Crimewatch. The Press Office will also be able to advise on any implications regarding legal pitfalls, such as contempt of court.

If you are conducting an investigation or launching a campaign, contact with the press office at the outset should be high on your list of considerations.

Remember that timing can be of great importance. If suspects are at large, don't wait until you have discussed the incident in depth at a briefing before contacting the press office. By then it may be too late. Given initial details, a press officer can put together a news release and issue it instantly on the Essex Police telephone media line.

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The Benefits

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Communication with the public via the media offers important benefits to the police.

It provides an information link with the public which has proved to be a great asset in preventing and detecting offences. It also enables a service such as ours to receive fair coverage and to foster support by conveying to the community the many positive aspects of its work.

Appeals for witnesses and the promotion of public safety campaigns are just some examples of where the help of the media can bring the desired result.

We rely on public assistance and co-operation. To retain this support, we must remain aware that police activity is open to scrutiny and that public opinion is influenced strongly by what appears in newspapers and radio and television broadcasts.

With this in mind, Essex Police strives to be co-operative and as open as possible in its dealings with the media.

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There are, of course, constraints which cannot be overlooked. Anyone speaking to the media on behalf of Essex Police must remain mindful of the restrictions with regard to matters such as confidentiality, the welfare of victims and subjudice.

It is hoped that this site will be helpful to you when you are talking to the media. It is designed to provide quick reference and is not exhaustive, but it contains guidance on typical aspects of news coverage.

Further advice on topics listed or any other matter relating to the media can be obtained from the Essex Police Press Office.

THE PRESS OFFICE - HERE TO HELP



The Essex Police Press Office exists to help you and a press officer is available 24 hours a day.

The press office can be contacted on ext. 50622 or 01245 452450.

Normal opening hours:

Weekdays between 7am and 5.30pm.

Weekends between 8.15am and 4.15pm.

If there is no reply, the duty press officer can be contacted through the Force Information Room inspector on ext 55100 or 01245 452060.

When the press office is not staffed, non-urgent messages can be left overnight on its answering machine (ext. 50622 or 01245 452450) or e-mailed to Press Office. **Never leave a message by merely adding it to a STORM incident.**

If you have a message for the media at any time during the day or night it can be issued immediately on the Essex Police Media Tape. This can only be done by a press officer or by the Force Information Room inspector if the press office is closed.

Make sure they are told if you have a message to get out.

If you wish to write your own news release on a STORM incident for transmission when the press office opens, leave a message on the answering machine drawing attention to the incident number. This will ensure it is not overlooked. If you submit a written press release via email please include STORM and crime ref numbers where applicable.

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You can listen to the tape on 0871 5508029.

The press office does not want to replace your relationship with the local media, and regular contact will foster mutual respect and co-operation.

A press officer will try to take the pressure from officers dealing with an incident, but there will still be times when you should face the media. The press officer will try to make this as painless as possible (see section on TV and radio interviews).

WHO CAN TALK TO THE MEDIA?



You can:

- if you are the officer dealing with an incident or;
- if a journalist wants to know about your particular job;
- if you are the best person to talk.

It is always wise to consult your manager in advance, whenever possible. If you are unsure about what can be said, look through this guide, and if still in doubt, seek help from the press office.

Remember:

- determine what the article is about;
- give thought to the message you want to put across;
- media questions on policy matters should, of course, be referred to your command team or the press office.

Victims of crime or people involved in accidents should be made aware that the police are not the only source of information for the media and requests for no publicity may result in inaccurate information being obtained from another source.

There are occasions when the need to issue warnings to the public or to appeal for information will override an individual's rights, although personal details will usually be withheld in these cases.

When you talk to the media be aware that fear of crime is often greater than the reality. Ensure that what you say is accurate and balanced and does not increase that fear.

MAXIMISING YOUR MESSAGE

Media liaison should be high on the list of anyone heading an investigation or launching a campaign. The importance of reaching out to the public for information about a crime

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or to make them fully aware of a campaign cannot be over-emphasised.

This information can also be released to the public by way of the Essex Police Internet.

Depending on the news interest in the subject, millions of people can be reached via the media.

The press office can advise on how to go about this in order to maximise the impact of your message.

TV AND RADIO INTERVIEWS

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Local radio stations present an opportunity to issue witness appeals and important information to a wide audience, almost immediately.

After a major incident both TV and radio will need interviews early on. These may be over the phone or face-to-face. Interviews on major incidents will normally be done by the senior officer in the case.

The key to a good interview is to be prepared.

Before the interview:

- ascertain what you will be asked;
- ensure you have up-to-date information.
- find out what the first question will be.
- decide on the three or four key points you want to get across (you may only get 20 seconds on air).
- establish whether you are going out "live" or being recorded
- then think of the most difficult/awkward questions - and how you would answer them
- check your appearance (for TV) is neat and professional.
- rehearse the questions and answers three or four times

During the interview

Time is short - stick to essentials

- Tell the truth, without divulging information which might cause a problem.
- Listen attentively.
- Speak confidently.
- Avoid police jargon.
- Look at the interviewer.
- Don't fidget or sway.
- Give names and numbers clearly.
- Stay put at the end.

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