

FEATURE

IN THE PUBLIC EYE

Police officers and staff will often come into contact with reporters covering stories on crimes that have hit the headlines. Catherine Speller explains how the Press Complaints Commission attempts to regulate this relationship

Since much police work is concerned with events at the sharp end of life, it is not surprising that the media is interested in reporting what police forces and officers do. For many local papers, crime-related stories form the bedrock of their news content.

The relationship between the police and the media is clearly, therefore, vital to both parties. Det Supt Tony Cook, of Greater Manchester Police, suggested last year that this relationship has experienced a number of positive developments in the last few years, including a much greater willingness now, on the part of police forces, to consider the needs of the media right from the outset of an investigation (*PR, 25 April 2008*). The result is that levels of trust between the two are much improved.

Such developments are clearly good news for everyone concerned and it is important that police forces continue to work on maintaining good relationships with journalists covering their patch – and vice versa. But since it is perhaps inevitable that problems will occur from time to time, it may be helpful for police officers – particularly those working in press office or family liaison officer roles – to be aware of the work of the Press Complaints

Commission (PCC): an independent self-regulatory organisation which has an important role to play in promoting high standards across the UK newspaper and magazine industry.

Most people know that the PCC handles complaints about articles that have already been published – a role which is immediately obvious from the organisation's name – and, indeed, most of the PCC's work is concerned with resolving and adjudicating formal complaints under a code of practice. But the organisation's name can be misleading, as it implies a body which is solely reactive, only responding to complaints when someone contacts it directly. The truth is quite different. The commission is now undertaking a huge amount of additional work to ensure that, when the glare of the media bears down on a high-profile story, any potential media harassment of those directly involved is minimised.

Open society

When a death is unexpected or unusual, it is very likely to be reported by the media. Indeed, deaths are a matter of public record and this is an important characteristic of an open society. Police officers need to be prepared for routine enquiries from

journalists and should warn the families involved that they can expect requests from the media to give a tribute, to provide photographs or perhaps to contribute to a follow-up story. Some families are happy to do this and police press officers fulfil an invaluable role in facilitating such requests.

However, problems can arise when journalists do not take no for an answer and this is where the PCC can help. Under the PCC's code of practice, it is acceptable to contact someone recently bereaved once for a comment but there are rules in place to prevent repeated requests if someone does not wish to speak.

Clause four states that 'journalists must not engage in intimidation, harassment or persistent pursuit' and that they 'must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on their property when asked to leave and must not follow them'.

Police family liaison officers who believe that bereaved people they are working with are being continually harassed by the media should contact the PCC immediately.

If the PCC agrees that there is a case of potential harassment, it will send out a 'desist message' to editors requesting that the relevant journalists and photographers cease their approaches immediately. The circulation list for such messages would include the editors of national newspapers and magazines, as well as the relevant local and regional papers. In some situations, messages can also be passed to broadcasters as Ofcom, the broadcast regulator, does not have the authority to do so.

In most cases, the harassment stops and photographs are not taken. Merseyside Police used this service successfully to request that the press did not contact the family of a four-year-old girl who had died in hospital; and the PCC also liaised with Suffolk Constabulary around the time of the trial of Steve Wright, who was convicted of murdering five prostitute in Ipswich in 2006. A friend of one of the deceased women contacted the PCC directly with concerns that she was being repeatedly approached by the press, and the organisation was able to communicate these concerns to the relevant newspaper on her behalf.

In the courts

The reporting of court cases also prompts a high number of enquiries to the PCC. It is important

'THE OPPORTUNITY TO GRIEVE IN PRIVATE'

Jacqui Hanson, deputy head of corporate communications for Cheshire Constabulary, represented the family of Garry Newlove at the trial of five youths accused of his murder in Warrington in November 2007.

Ms Hanson told the Press Complaints Commission (PCC), at the time: 'The media came to Warrington in large numbers to report on the story, and public interest in the case remained high from the time of Garry's death through to the sentencing of the offenders. This close family unit had been traumatised at the loss of Garry and wanted to be left alone to grieve.'

'While the majority of journalists honoured the request relayed via the police press office, the family continued to receive approaches. This caused them distress as they felt unable to make any comment at this time.'

'We approached the PCC. A desist notice was quickly issued and, at the same time, we

offered media organisations our own press desk as a point of contact for any interview requests with the family.'

'The desist notice was hugely successful. The family did not receive a single direct approach [after that]. Even after the verdict, the media continued to honour the spirit of the request and made approaches for further interviews via the police, until seven months later when Mrs Newlove was ready to receive and respond to requests directly.'

'The desist notice gave a distraught family the opportunity to grieve in private and find the time they needed to come to terms with their situation. From that has come a voice – in Helen Newlove and her daughters – which has captured the thoughts and feelings of a huge section of society.'

Source: Press Complaints Commission 2007 annual report



that police officers and forces are aware that, unless otherwise restricted by the courts, the press is generally entitled to report details that emerge in court cases and inquests (which will often include the names and addresses of the parties involved).

The PCC dealt with one complaint recently where a police officer had informed an individual who had appeared in court that her personal details were not allowed to be published by the press. This advice was incorrect and an article was subsequently published, which prompted a complaint from the individual to the PCC that was rejected.

There are several rules in the code of practice that might be relevant to police officers advising members of the public involved in court cases. For example, newspapers must not identify victims of sexual assault or publish material likely to contribute to such identification. Minor details, such as a description of a victim's appearance, or the location of a crime, have been found to be in breach of the code.

There is also a rule (under clause five: Intrusion into grief or shock) that relates specifically to the reporting of suicides and is designed to minimise the risk of copycat cases. The PCC is always happy to give confidential advice on the code of practice as necessary to the public, police officers and news outlets, including on a pre-publication basis.

Police representatives are encouraged to use the PCC as an 'advice bureau' and as one of a number of tools they might like to consider when formulating their media strategies. ■

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THE PRESS COMPLAINTS COMMISSION CODE OF PRACTICE

Below are some key sections of the PCC's code of practice.

Clauses marked with an asterisk are covered by exceptions relating to public interest. Visit www.pcc.org.uk to see the code in full.

■ **Clause five: Intrusion into grief or shock**
i) In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively.

This should not restrict the right to report legal proceedings, such as inquests.

ii) When reporting suicide, care should be taken to avoid excessive detail about the method used.*

■ **Clause nine: Reporting of crime***

i) Relatives or friends of people convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story.

ii) Particular regard should be paid to the potentially vulnerable position of children who witness, or are victims of, crime.

This should not restrict the right to report legal proceedings.

■ **Clause 11: Victims of sexual assault**

The press must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so.

■ **Clause 15: Witness payments in criminal trials**

i) No payment or offer of payment to a witness – or any person reasonably expected to be called as a witness – should be made once proceedings are active as defined by the Contempt of Court Act 1981. This prohibition lasts until the suspect has been freed unconditionally by police without charge or bail or the proceedings are otherwise discontinued; or has entered a guilty plea to the court; or, in the event of a not guilty plea, the court has announced its verdict.

ii) Where proceedings are not yet active but are likely and foreseeable, editors must not make or offer payment to any person who may reasonably be expected to be called as a witness, unless the information concerned ought demonstrably to be published in the public interest and there is an overriding need to make or promise payment for this to be done; and all reasonable steps have been taken to ensure no financial dealings influence the evidence those witnesses give. In no circumstances should such payment be conditional on the outcome of a trial.*

iii) Any payment or offer of payment made to a person later cited to give evidence in proceedings must be disclosed to the prosecution and defence. The witness must be advised of this requirement.*