

## **Media manual plan**

### The media

As any senior investigator knows, the media can be of great benefit or a great nuisance to an inquiry. Managing the media is important in finding witnesses, maintaining public confidence in IPCC investigations and in keeping families involved and supportive of our work.

### **1 Referrals**

The media may become aware of investigations before the IPCC is informed. Road traffic incidents, for example, are often reported by the media within minutes of their occurrence. Conversely an incident or a complaint may have had years of media coverage before it is referred to the IPCC. In such circumstances journalists may even become stakeholders and witnesses able to assist the investigation.

#### Telephone pre-referrals

The duty Regional Director should alert the duty press officer<sup>[2]</sup> about any serious matters that are referred by forces. The Press Office always has one person on call who can then decide how best to proceed.

The out of hours mobile is 07717 851157.

The Regional Director or Commissioner should notify the press office if a new referral is likely to attract media interest or if it would be in the interests of the IPCC or the inquiry to attract media coverage proactively.

#### Email

Press Office and RCOs have access to each Regional Office referrals inbox. However, it is useful to notify the press office or RCO by telephone, followed up by email, of any serious incidents referred.

### **2 Handling the media during scene assessments**

The media may become aware of new investigations before, or during, a scene assessment. Investigators should be aware that journalists may be present at the scene as may photographers. In the absence of a Commissioner, it may be beneficial for the IPCC investigator, if 'doorstepped' in this way to explain to the media that he /she has come to assess the scene and he/she will advise the Commissioner how best the inquiry can be carried out.

Nothing more than this basic information should be provided if approached by the media at the scene. More detailed questions or formal interview bids should be referred to the IPCC press office (or duty press officer if out of hours.)

## Investigators

Press Office should be briefed about any developments and given an outline of the known facts in order for a press statement or lines to take (for reactive use in response to media inquiries) or press release (proactively issued to relevant media) to be prepared.

### **3 Initial statements by the police service**

Initial statements to the media by the police service should be factual, non-judgmental and whenever possible cleared by the IPCC. Where it is clear from an early stage that the IPCC will either be managing or independently investigating an incident, forces should be told that the IPCC may wish to take control of any disclosure to the media immediately. See IPCC –ACPO media protocol.

- Fatal firearms incidents are the most sensitive and police statements should always be cleared with the IPCC (Cat 2)
- Road traffic incidents (Cat 1) are generally the most 'public' and may lead to severe traffic congestion. The police service is therefore bound to give out traffic information and this may mean explaining about the incident.
- Deaths in custody or following other contact (Cats 3 and 4) are also sensitive but they are usually away from the media's gaze so that there is usually time to consult the IPCC first.

Police forces should state that 'the (incident) has been referred to the IPCC.'

### **4 Initial IPCC statements**

The initial IPCC statement should also be factual and non-judgmental. In order to advise investigators and the Commissioner, Press Office needs the facts of what has happened. Investigators should check any drafts submitted by Press Office but final decisions will be taken by the Commissioner.

During the scene assessment the Press Office may only be able to state that the incident has been referred and that an assessment is taking place.

If the IPCC has been informed but there has not been a formal referral, the press officer will confirm that we have been informed, and advise the force press office to add the information to any press lines they are deploying.

Press releases or statements/lines to take will not be issued until they have been cleared with the investigations team [the senior investigator if possible] and the Commissioner.

Out of hours statements and releases will be cleared by the duty Regional Director or duty Commissioner. Proactive press releases will be issued by the

duty press officer by email from home and loaded onto the website on the next working day.

## **5 Clearing any statements**

Press Office / RCO will, as stated, clear the release with the Commissioner and an investigator. Legal should be consulted if necessary and it may also be beneficial to consult the Chair or Deputy Chair in high profile cases. All matters relating to terrorism are in any case a matter for the Chair and will be cleared with him whether or not within working hours.

If practical, a copy of any press release should be shown to the family / complainant by the family liaison manager in advance on a 'for information' basis only. The family liaison manager is responsible for informing the family that a release is going out. He / she should confirm to the press officer that the family has been told.

On occasions third parties e.g. local councils, organisations or people named by the inquiry will need to be sent an advance copy. Press Office may be able to make these arrangements if they concern an organisation with its own press office with whom IPCC can liaise.

Neither the Home Office, police service, police authority, families, solicitors, complainants nor third parties have a veto on IPCC press releases. The final decision on the content and timing of the release is for the IPCC.

The Commissioner will take the final decision whether a press release is issued proactively (Press Office will actively send it out to the media) or reactive (only be issued if any journalists specifically ask about the incident.)

Copies of press releases are normally sent to the force concerned, the police authority, the Coroner (in event of a death), solicitors involved, families (via the FLM) and any third parties.

## **6 After the decision has been taken on mode of investigation**

### *Independent and managed investigations*

Media strategy including day-to-day media handling is the IPCC's responsibility in all independent and managed investigations i.e. where IPCC has direction and control of the investigation. Responsibility for approval of the strategy to be followed lies with the Commissioner.

Once the mode of investigation (MOI) decision has been made and the case handed over to IPCC, all press calls will be dealt with by the IPCC Press Office / RCO.

In general, the Press Office /RCO will issue an initial press release once the MOI has been decided. Further releases will depend on the case but may be

made in connection with key milestones and/or as part of the media strategy for the case (see below)

The Commissioner is also responsible for media interviews, which allows the senior investigator to concentrate on conducting the inquiry. In some cases it may be more appropriate for the SI to do interviews, although this will be subject to the Commissioner's approval. In a major investigation the Press Office may need to issue regular media statements in time for key radio and television bulletins.

In major cases the Commissioner (and possibly the senior investigator, as appropriate) should be available at key media times: breakfast 7 – 9 am; lunchtime; drivetime 4 – 7 pm; and the late evening news programmes.

The senior investigator should involve the press officer in internal briefings or Gold / strategy Groups.

The Press Office / RCO will formulate a media / communications strategy that addresses:

- The situation, problems/risks and opportunities
- Target audience and stakeholders
- Key objectives
- Key messages
- Key spokespeople
- A strategy
- Action plan
- Impact

The strategy should be agreed with the senior investigator and the Commissioner who takes the final decision.

The media strategy should be amended accordingly as the case proceeds.

It is the responsibility of investigators to alert press office to key milestones which are likely to attract media and public interest. These include:

- witness appeals
- inquests
- discipline hearings
- submission of a file to the CPS
- CPS decision
- decision on / date of disciplinary hearing.

### *Supervised and local investigations*

Media strategy is the responsibility of the investigating force and the IPCC would not normally make any statements beyond stating that the inquiry will be supervised. If it should be necessary to issue a press release or make

statements it should be with the full knowledge of the force. Usually the IPCC press office will liaise with the force press office on the content and timing of any release.

Exceptionally the Commissioner may vary this agreement but must inform all parties involved.

## **7 Naming the deceased**

IPCC investigators should follow the procedures agreed by the ACPO media committee regarding the naming of dead or injured people. Failure to keep to the same well-tested ACPO guidelines lays the Commission open to charges of being secretive and can lead to criticism in the media. By following the guidelines the IPCC will be consistent from case-to-case and will have a defence against criticism. The media advisory guidelines are at <http://www.acpo.police.uk/policies.asp>

The IPCC will also follow the guidelines issued by the Press Complaints Commission<sup>[3]</sup>

A deceased person shall be named when he / she has been positively identified and next of kin have been informed. The name will always become public when the inquest is officially opened.

Commissioners and investigators should resist families' natural tendency to want neither publicity nor the name to be given out. Promises that cannot be kept should not be made.

If needed, Press Office / RCO is willing to issue statements about the deceased on behalf of families as long as they are not libellous or prejudicial.

Similarly a photograph of the deceased, chosen by the family, can also be sent out to the media as a Jpeg.

The funeral of the deceased may attract media interest and where appropriate the IPCC press office may be able to assist with or advise the family (via the FLM) on the handling of media interest at the venue.

## **8 Senior (ACPO) officers**

Complaints against ACPO-rank officers are much-more likely to attract publicity. The clearance of press lines etc will normally be with the clerk to the police authority. It is not usually appropriate for the force press office to clear the lines or press releases, although they will usually be informed by the IPCC press office that a release is to be issued.

## **9 Handing sensitive cases**

These include domestic violence, sexual assault, so called 'honour' crimes and cases involving minors.

The IPCC supports the principle that investigations and any subsequent criminal or disciplinary prosecutions into domestic violence, sexual assault and so called 'honour' crimes need to be publicised pro-actively as part of the process of building public confidence in the accountability of the police and to encourage victims of such offences to come forward. Domestic violence and sexual assaults have been 'hidden' for too long. Pro-active publicity may also bring forward other victims and witnesses.

To achieve this it is equally important that press statements and other IPCC publicity is handled with great care and sensitivity and is always based upon a careful risk assessment of the circumstances of each case. Before making any pro-active publicity there should be an assessment of the risks for the victim, the victim's family and also any police staff involved.

The Commissioner handling the case will be responsible for ensuring that the risk assessment has been carried out to his/her satisfaction and takes overall responsibility for the decision whether and when to issue a pro-active statement and for its content.

Good practice principles that will be applied in such case include:

- Releases should be kept to the essential facts of the case only.
- By law victims of sexual assault must not be identified, nor their addresses given.
- Always check that some apparently harmless but inessential information has not been included that might enable the identity of the alleged perpetrator (where this needs to be kept anonymous) and/or the victim to be identified.

Details of criminal charges will be published but not unsubstantiated allegations.

The Commissioner will ensure the risk assessment has been carried out and will be responsible for reviewing its adequacy.

The Commissioner will decide whether an IPCC lawyer should be consulted and will do so directly. The lawyer's role is to advise the Commissioner on any legal aspects (including where applicable consulting CPS) but is not a substitute for the risk assessment responsibilities and final drafting responsibility of the Commissioner.

The victim should be notified in advance of the timing and content of a press release via the family liaison arrangements in place. The Commissioner must receive positive confirmation that this step has been taken before the release is issued.

Where the victim cannot be notified in advance or, for whatever reason, it has been decided not to do so in a particular case, then the IPCC investigating officer must make an appropriate policy log entry.

Press releases will be cleared in the normal way and brought to the attention of the force concerned. This is an opportunity for the force to correct any factual errors but should not be taken as an invitation to re-open the policy on publication unless a genuinely unforeseen and new circumstance has arisen.

## 10 Summary Checklist for sensitive cases

### Step 1

Risk assessment undertaken.

### Step 2

- Press release drafted and sent to Commissioner and senior / deputy senior investigator.
- Commissioner decides if others, including IPCC lawyer, need to be consulted.
- Checked by force investigator via force press office for factual accuracy.

### Step 3

- Final agreed version
- Sent to / notified FLM /FLO
- Confirmation received by Commissioner that victim has been notified (or policy log entry if not notified.)
- Copied to force press office.
- Copied to any other third parties.

### Step 4

Press release issued.

## 11 Update press releases

Depending upon the level of interest, opportunities should be sought to demonstrate the professionalism of our investigations by issuing regular updates to the media and other stakeholders.

## 12 Witness Appeals

The media can play a vital part in witness appeals. Local radio and papers are very effective at reaching potential witnesses. Appeals can be a general trawl to find witnesses or they can be specific appeals for one or more identified people.

The most effective appeals will:

- Not be too specific on details such as the time of an incident e.g. *People who were in High Street around midnight not in the High*

*Street at 12.09 a.m.* Few people know the exact time after an evening out.

- Not give away details that the witnesses should reveal e.g. *the issue of whether a police vehicle was using warning lights (blues n twos)*
- Give sufficient information to jog appropriate memories e.g. *the route of a pursuit.*
- Not be afraid to get a few calls from people who cannot actually help – the investigation can soon eliminate people.

Appeals need a phone number for the response and an email address is also useful. The phone will need to be monitored as calls will be left overnight.

A separate email address can be set up by ANITE, an existing address used or, in exceptional circumstances only and with prior permission from the Head of Media or Publicity and Events manager, the generic [enquiries@ipcc.gsi.gov.uk](mailto:enquiries@ipcc.gsi.gov.uk) used.

It is the investigations team's responsibility to:

- Get witness boards made;
- Draft any witness appeal leaflets;
- Set up a witness appeal email address and ensure the emails are responded to (or at least acknowledged) individually on the same working day, or acknowledged via an automated response;
- Set up a witness appeal telephone number, record an appropriate answerphone message and monitor and respond to any calls received.

It is the Communications team's responsibility to:

- Advise on the draft leaflet / witness boards in terms of using plain English and corporate branding issues;
- Assist (where practical) with photocopying/laminating appeal materials;
- Issue a press release about the appeal and/or invite media to attend it in order to generate coverage of the appeal;
- Assist with or advise on media handling at the appeal launch;
- Ensure details of the witness appeal are loaded onto the IPCC website.

Specific appeals will need as full a description of the person or vehicle etc sought. CCTV images can also be released and it is proportionate to release a witness's photograph if in doing so an incident is more fully investigated. Regional TV will often use such appeals.

The IPCC web site has an appeals section which the Communications team will update with the relevant material.

## 13 Witness Boards

Boards are a very useful way of reaching potential witnesses at the scene of an incident. The current free-standing, two-sided boards are re-usable and approximately 112 cm wide and 112 cm high.

Wording needs to be kept as simple as possible with a brief description of the event and a contact telephone number. The wording should be emailed to the contractor who will order the boards and arrange delivery.

A series of appeal boards (each with part of the message), placed at intervals of approximately 100 metres apart, would be needed for a motorway or dual carriageway appeal.

A padlock and chain may be needed to secure them at the scene.

An investigator should notify the local authority for the area concerned.

Posters and leaflets can also be produced for investigations by Comms in-house. They can also be laminated for outdoor display use. If regional offices produce their own leaflets or posters a copy should be sent to Emma Bryan and Sadie East so that they can assist with meeting corporate identity guidelines.

The cost of witness boards must be met by the investigation.

#### **14 Media monitoring**

The Press Office is responsible for monitoring the media on behalf of the investigation. The Press Office receives daily press cuttings and also cuttings from regional and local papers.

The cuttings are sent to the RCO. Regional offices are responsible for ensuring that they are added to the investigations file.

Comms does not employ an agency to monitor radio and television programmes on a continuous basis. However the Press Office can order copies of any television or radio programme, from a monitoring agency, within 30 days of transmission. Copies of broadcasts after that date can usually be ordered from the broadcaster concerned.

The agency can also provide a summary of all broadcast coverage from which copies can then be chosen.

Comms does not have a budget to pay for copies. The cost will fall to the investigation concerned.

#### **15 Using media coverage**

Media coverage can assist to:

- Identify witnesses who have spoken to the media;

- Check the veracity of witnesses' versions of events – *have they told the inquiry the same as they told the newspapers?*
- Assess community reactions;
- Provide a source of photographic evidence.

## 16 Saving the material

Comms do *not* have access to save investigations in Trim. The investigation team is therefore responsible for saving any relevant media items. A new folder will automatically be set up in the TRIM 'books' set up for Independent Investigations. The folder is titled 'Media' and it is where all Media information relevant to the Independent Investigation should be saved or scanned, for example:

- Press Cuttings
- Press Releases (IPCC generated)
- 'Lines to take' and any other press related items
- Media strategy.

## 17 Completion of investigations

The media strategy may need re-visiting as the investigation comes to a conclusion. In high profile cases a statement may be needed that the inquiry has ended. However such announcements can be confusing to the public as it may appear that the investigation is complete but nothing has happened.

## 18 Court charges

Investigators or Commissioners should advise Press Office / RCO when police officers or other staff will face criminal charges.

Press Office /RCO will liaise with the Crown Prosecution Service and police force press offices.

The IPCC will follow the normal ACPO media protocols surrounding such announcements. Just as members of the public are named after they have been summonsed or charged, police officers will also be named. If officers are at significant risk (e.g. anti terrorism, undercover or firearms officers) investigators should advise the Press Office. Officers' home addresses will *not* be disclosed.

Police forces often give pre-trial (or inquest) briefings to selected journalists. The decision to give such a briefing must be cleared by the Commissioner and the Chair or the Deputy Chair.

At the conclusion of a trial the Press Officer will prepare a suitable response. The IPCC will never criticise a jury's decision neither will it comment on the decision taken by the CPS regarding criminal charges.

## 19 Inquests

The Commissioner or investigator should inform Press Office /RCO of the date of inquests into managed or independently-investigated deaths.

The Press Office will discuss the handling strategy for high profile inquests with the Commissioner and the investigator.

Inquests are covered by subjudice, especially when the Coroner is sitting with a jury. The conclusion of the inquest is an useful opportunity for the IPCC to comment on the next stages of the case and any lessons that have been learnt.

## 20 Misconduct review

The issuing of a press release should be considered at the end of each managed or independently-investigated inquiry. It is visible evidence of our approach to being more open. The notice should:

- Relate the findings;
- Explain any misconduct action;
- Outline any lessons that can be learnt.

Commissioners should advise Press Office / RCO of the conclusion of the case.

## Appendix

### **Press Complaints Commission Code of Practice**

The following version of the Code has been edited to remove sections that do not affect us e.g. financial journalism. The full code is on the PCC web site.

The Press Complaints Commission is charged with enforcing the following Code of Practice which was framed by the newspaper and periodical industry and was ratified by the PCC on 13 June 2005.

#### THE CODE

All members of the press have a duty to maintain the highest professional standards. This Code sets the benchmark for those ethical standards, protecting both the rights of the individual and the public's right to know. It is the cornerstone of the system of self-regulation to which the industry has made a binding commitment.

It is essential that an agreed code be honoured not only to the letter but in the full spirit. It should not be interpreted so narrowly as to compromise its commitment to respect the rights of the individual, nor so broadly that it

constitutes an unnecessary interference with freedom of expression or prevents publication in the public interest.

It is the responsibility of editors and publishers to implement the Code and they should take care to ensure it is observed rigorously by all editorial staff and external contributors, including non-journalists, in printed and online versions of publications.

#### 1 Accuracy

i) The Press must take care not to publish inaccurate, misleading or distorted information, including pictures.

ii) A significant inaccuracy, mis-leading statement or distortion once recognised must be corrected, promptly and with due prominence, and - where appropriate - an apology published.

iii) The Press, whilst free to be partisan, must distinguish clearly between comment, conjecture and fact.

iv) A publication must report fairly and accurately the outcome of an action for defamation to which it has been a party, unless an agreed settlement states otherwise, or an agreed statement is published.

#### 2 Opportunity to reply

A fair opportunity for reply to inaccuracies must be given when reasonably called for.

#### 3 \*Privacy

i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications. Editors will be expected to justify intrusions into any individual's private life without consent.

ii) It is unacceptable to photograph individuals in private places without their consent.

Note - Private places are public or private property where there is a reasonable expectation of privacy.

#### 4 \*Harassment

i) Journalists must not engage in intimidation, harassment or persistent pursuit.

ii) 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.

iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other sources.

## 5 Intrusion into grief or shock

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

## 6 \*Children

- i) Young people should be free to complete their time at school without unnecessary intrusion.
- ii) A child under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.
- iii) Pupils must not be approached or photographed at school without the permission of the school authorities.
- iv) Minors must not be paid for material involving children's welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.
- v) Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

## 7 \*Children in sex cases

1. The press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences.
2. In any press report of a case involving a sexual offence against a child -
  - i) The child must not be identified.
  - ii) The adult may be identified.
  - iii) The word "incest" must not be used where a child victim might be identified.
  - iv) Care must be taken that nothing in the report implies the relationship between the accused and the child.

## 8 \*Hospitals

- i) Journalists must identify them-selves and obtain permission from a responsible executive before entering non-public areas of hospitals or similar institutions to pursue enquiries.
- ii) The restrictions on intruding into privacy are particularly relevant to enquiries about individuals in hospitals or similar institutions.

## 9 \*Reporting of Crime

(i) Relatives or friends of persons 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.

#### 10 \*Clandestine devices and subterfuge

i) The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorised removal of documents or photographs.

ii) Engaging in misrepresentation or subterfuge, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

#### 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.

#### 12 Discrimination

i) The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, gender, sexual orientation or to any physical or mental illness or disability.

ii) Details of an individual's race, colour, religion, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

#### 13 Financial journalism

#### 14 Confidential sources

Journalists have a moral obligation to protect confidential sources of information.

#### 15 Witness payments in criminal trials

#### 16 \*Payment to criminals

#### The public interest

There may be exceptions to the clauses marked \* where they can be demonstrated to be in the public interest.

1. The public interest includes, but is not confined to:

i) Detecting or exposing crime or serious impropriety.

- ii) Protecting public health and safety.
- iii) Preventing the public from being misled by an action or statement of an individual or organisation.

2. There is a public interest in freedom of expression itself.

3. Whenever the public interest is invoked, the PCC will require editors to demonstrate fully how the public interest was served.

4. The PCC will consider the extent to which material is already in the public domain, or will become so.

5. In cases involving children under 16, editors must demonstrate an exceptional public interest to over-ride the normally paramount interest of the child.

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<sup>1</sup> The term Press Office is taken to include Regional Communications Officers (RCO) as well as Headquarters press office staff. In many instances the first port of call will be the local RCO rather than Headquarters media.

<sup>2</sup> The PCC guidelines are included in the appendix attached.

<sup>4</sup> The Press Complaints commission publishes advice for any members of the public who believe they are being harassed by a journalist - [www.pcc.org.uk/docs/harassment.doc](http://www.pcc.org.uk/docs/harassment.doc)