

# Coping with media interest

## What to do when a journalist approaches you:

- **REMEMBER** You do not have to talk to journalists if you do not want to, DO NOT be bullied into a conversation. They can be very persuasive.
- If you do not wish to be dealt with by a journalist, just say that you have, “**Nothing to say**”. **BEWARE!** The Press may approach other members of your family, neighbours or friends. There is nothing to stop them talking, but you could make your wishes clear to them so that they understand your concerns.
- If you think there are journalists at your door, try and find out who they are before opening it. You can always shout through the door and ask them to put their business card through the letterbox. If you do not want to be photographed do not open the door.
- In the event of your opening the door to a stranger, ask who they are. **Ask to see their ID, their Press Card or NUJ (National Union of Journalists) card.** Keep their business card and tell them that you will contact them when, and if, you wish to make a statement. Do not be drawn into a conversation unless you want to be quoted.
- Phone the contact number on their ID card, and check that they are who they say they are.
- **BE CAREFUL** Journalists can be utterly charming to achieve their objectives. Do not get drawn into a conversation until you have thought carefully about what you want to say. If necessary, ask for time.
- If you do agree to speak to a journalist, try and arrange to have a friend or family member present as a witness. If you have a tape recorder, record the interview (openly). If the journalist is recording it ask for a copy of the tape or a full transcript in writing, as condition of your giving the interview BEFORE the interview commences. They are unlikely to agree, so it helps to have a witness present making detailed notes. Before the journalist leaves, ask him or her to sign the notes to show they agree it is an accurate record of what took place.
- Think carefully before you part with anything. Do not have photos of relatives who may be of interest to them on show during an interview. If you do decide to give photos to a journalist they are not always returned; these photos may be of great sentimental value to you.
- Once photos have been given to the press they are the ‘Public Domain’, and may be used without your consent at any time, possibly years into the future – unless you get agreement in writing that you have provided them for one use only.
- **REMEMBER** newspapers take copies of photos and add them to a computer database; other publications, may pay them for a copy of what they now regard as their image, even though technically copyright remains with the person who took the original picture.

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## What to do if a reporter harasses you:

- If the Press persist in bothering you (by phoning you, knocking on your door, or waiting outside), after you have made it clear that you do not want to talk to them, they are in breach of Clause 4 of the industry Code of Practice. If you know which newspaper the journalist represents, phone and complain to the editor. If you feel unable to do this yourself, ask a friend, or a solicitor to do so on your behalf.
- Since they may also be in breach of the Protection from Harassment Act 1997 (an anti-stalking law) **inform the police.**
- Some people choose to put a note on their door saying they do not wish to make any comment; (this strategy carries with it its own dangers, it advertises where you live and is only advisable if you have confided in your neighbours and they are supportive of you). If your notice is ignored by the Press **call the police.**
- If the press continue to harass you outside your home it could be viewed as a 'breach of the peace', so **notify the police.**
- If anyone trespasses on your property, (e.g. climbs over a fence or wall and enters your back garden) **phone the police. The police** may use reasonable force to remove an intruder. A member of the Press behaving in this manner is **an intruder. They are trespassing.**
- **DO NOT TAKE THE LAW INTO YOUR OWN HANDS – displaying anger or threatening behaviour gives them a story (and pictures) which they can use instead of an interview.**
- If there are children living in the house, point out the distress and trauma that may be caused to them. It is not in the 'public interest' for the Press to put young lives at risk or cause distress.

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## What you can do at the end of the trial:

- At the end of a trial if you choose to make a statement, **WRITE IT DOWN, SIGN IT, and make copies.** This can be handed to the Press (retain a copy for yourself).
- Alternatively, ask or arrange for the solicitor, or a friend to read out your statement.
- If you do not choose to make a statement make it clear that, “The family do not wish to be approached by the Press,” or, that all enquiries are to go through your solicitor or a person of your choice, (having first obtained their agreement.).
- If you want to leave the court unrecognised on the final day, wear a coat with a hood, hat with a brim, dark glasses, wear a headscarf, use an umbrella, depending on the time of year, the type of weather etc. You might be more conspicuous with totally inappropriate clothing.
- The police are often prepared to escort you to your transport **but you have to ask.**
- **DO NOT** use public transport on final Court day. Establish whether there is a back door to the court and obtain permission to use it. The press may also know of this exit. If there is more than one person supporting you, separate and use different exits and vehicles. Have a pre-arranged meeting point.
- **Although it may be hard for you to do so, it is better to provide a short statement rather than say nothing; the Press may then leave you alone.**
- Try to be calm and dignified at all times, (if you “loose the plot” it makes for good newspaper/TV coverage.)
- Be on your guard. It is better to be wise before the event rather than after when the damage has been done.
- Make a record of any facts you give to the press. If you are misrepresented, you have the right to go to the Press Complaints Commission (address and phone number supplied.).
- It has been known for the Press to return some weeks after the end of a trial on the pretence that they have new evidence and are willing to help support you in an appeal.  
**BEWARE! It is not always true. Tell them you will only meet them with a solicitor present.**
- **CHEQUE-BOOK JOURNALISM** If you are offered money for your story, **think very carefully before accepting – you will lose control of any material you provide.** Ask to see the contract before divulging any information. The terms and conditions may make life more difficult for you, and rival media outlets may seek negative stories to undermine the value of their competitor’s ‘exclusive’.
- If you do decide to go ahead, seek legal advice, and ask for ‘copy approval’ (so that you can see what is to be published before it goes out). Discuss the matter with family and friends, and make your wishes clear to those around you.
- MediaWise (01179 415 889) can advise you on the advantages and pitfalls of selling your story. Once your story has entered the ‘public domain’ it can be used at anytime; sometimes years into the future.

Mike Jempson (Director, MediaWise)

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## Excerpt from Press Complaints Commission web site:

### COMPLAINTS TO THE COMMISSION

*The Commission receives three types of complaint about court reporting:*

- i. *Complaints that newspapers have intruded upon privacy by printing a report of a court case in which the complainant has been involved, usually as a defendant. In these cases the Commission uphold the right of newspapers to publish fair, accurate and contemporaneous reports of proceedings. Unless the complainant can demonstrate a breach of this principle the Commission will not take any such complaint further.*
- ii. *Complaints that newspapers have inaccurately reported some aspects of either a completed court case or one that is concurrently under way. If any significant inaccuracy is demonstrated in such cases the Commission raises the complaint with the editor as a prima facie breach of Clause 1 of the Code of Practice with the request that it be resolved by a printed correction. All such complaints have been resolved or disproved. In ongoing court cases the printed correction is included either in reports of subsequent evidence or occasionally in the report of the verdict.*
- iii. *From time to time the Commission receives complaints that in reporting a court case the press have not reported prosecution and defence cases with balance but have highlighted the prosecution case, with very little space being devoted to either the defence case or an acquittal verdict. No such complaint to the PCC has ever been of sufficient gravity as to warrant its investigation.*

### *Reporting of Information Given 'Off the Record'*

*In considering a complaint that a journalist has breached an understanding with a source of information, the Commission believes that it is important to distinguish cases involving those experienced in dealing with the media from those concerning interviewees with little or no knowledge of how the press operates.*

*With regard to those with experience of speaking to journalists, discussions are often based on private and possibly well-established arrangements between the parties. Such a person wishing to be reported in a non-attributable manner will know how to make clear at the start of a discussion that what they are saying is "off the record". There may be grounds for taking to task a journalist who blatantly disregards this agreement, although the particular circumstances would have to be taken into account. Clause 15 of the Code of Practice would cover such a complaint.*

*The other category of complaint would be most likely to come from those unused to dealing with journalists. If a journalist were to entice information out of such an ordinary member of the public on the basis that it would be "off the record" comment and then this comment was printed "on the record" there could be a case to answer under the Code.*

*This would relate not only to Clause 15 but also to the general ethical principles embodied in the spirit of the Code if it could be shown that a journalist acted deliberately to mislead the interviewee by giving false assurances of confidentiality."*

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**CONTACT:** Sir Christopher Meyer (Chair)  
Tim Toulmin (Director)  
Press Complaint Commission  
1 Salisbury Square LONDON. EC4Y 8JB  
[www.pcc.org.uk](http://www.pcc.org.uk)

■ <b>Help Line</b>	02073 533 732
■ <b>Switchboard</b>	02073 531 248
■ <b>Facsimile</b>	02073 538 355
■ <b>Textphone</b>	02075 832 264
■ <b>Email</b>	<a href="mailto:complaints@pcc.org.uk">complaints@pcc.org.uk</a>
■ <b>Scottish Help Line</b>	01312 206 652
■ <b>Welsh Help Line</b>	02920 395 570
■ <b>Emergency 24 Hour advice line</b>	07659 152 656 (Leave a message and you will be phoned back)

Complaints may be submitted by e-mail, but you will still need to provide an address and send us a hard copy of the article you are complaining about (unless you provide it as an email attachment or a website link) within 7 days. The PCC is not able to hold a complete collection of recent publications and because versions of an article sometimes differ between editions published on the same day.

Updated 15<sup>th</sup> March 2005; please inform us of any errors at [information@affect.org.uk](mailto:information@affect.org.uk).

This information may be used free-of-charge;  
nevertheless, donations are appreciated [[www.affect.org.uk/about/funding.htm](http://www.affect.org.uk/about/funding.htm)].