



The Media, Police and Investigations

The televised search of Sir Cliff Richard's property in the UK to my mind illustrates something that is inherently wrong in the relationship between the media and the police. In this case the BBC was tipped off by someone yet to be identified, but who obviously had details of the investigation. This was reprehensible, but was made worse by the police subsequently confirming to the BBC that the search operation would take place and providing the date and time that it would undertaken.

The motive for the original tip off has yet to be established and the rationale for the subsequent confirmation appears to be the police felt that they were under pressure to avoid the BBC publicizing details of the investigation ahead of the operation. Whatever the relationship was between the police and BBC beforehand it certainly turned sour at this point.

Relationships between police and media

This therefore begs the questions what exactly should be the relationship between police organizations and the media in the first place, and why do police officers make unauthorized disclosures to the media? From my policing experience I have found that in terms of formal relationships, police policy and practice varies considerably between various forces and countries.

Often it has been the case that the police view press interest as a threat where in other cases the media is willingly embraced and used to publically promote police work. Usually I have found however that in most democracies police generally have a good working relationship with the media and respect responsible journalism. A free press is essential to a democracy as it can provide scrutiny of public institutions such as the police, and is essential in providing information about what the police do. However the tasks of the police and the media will often be different and on occasions may conflict.

In the UK, the Association of Chief Police Officers (ACPO) state that "The media has a significant role in holding policing to account and informing the public about the work of the police service. There is an obligation on the police service to engage with the media, both to communicate what the police are trying to do strategically and, at an operational level, to engage the public in fighting crime. Examples include making appeals for information and for the identification of suspects and witnesses".

The police are in a unique position in that they hold large amounts of privileged information which, if disclosed, can cause harm to people's lives, jeopardise prosecutions or hamper police investigations. Disclosures of such information damage public confidence.

Most police forces have a media unit and part of their work is to enable the briefing of the media covering a full range of police activities including, where appropriate, investigations, request for public assistance and arrests. In Portugal it is illegal for the police to disclose the details of investigations

except in a few exceptional cases where this has been sanctioned at the Chief command level. The reason for this is that it protects the privacy and human rights of the individual and protects the integrity of the investigation. On several occasions in my discussions with police commanders they have remarked that it helps them maintain a position one step ahead of the criminal. In other words if the criminal who committed a crime was aware of how the police were trying to trace him then that gives that person an advantage by destroying evidence and taking steps to avoid being caught. This is illustrated that on the GNR and PSP websites there are no appeals for public information in the aftermath of crime and on the Judicial Police website this is only used in respect of wanted persons and generic advice to the public on crime issues.

Against this however is the argument that the more the police engage with the media following a crime, the more likely it is that people will come forward with information thus helping the police identify and bring to justice the person(s) responsible – so a balance has to be struck somewhere. Certainly in the UK television programmes such as “Crime Watch” are used extensively by police to engage public assistance, but at the same time it could be argued that this could be exploited by persons providing false information for whatever motives as well as assisting the culprit who may be watching.

Media use of the words “police source”.

It intrigues me how often I read or hear the words “according to a police source.....” What exactly does that mean and what level of confidence can be placed in the statement that follows? In my opinion much depends on the credibility of the media concerned as well as the reputation of the journalist or person reporting. The “source” can mean anyone of the following: a genuine police source connected to the investigation; a serving police officer not connected with the investigation but having experience of such matters; or no source whatsoever – it is simply made up by the journalist knowing that it is unlikely to be challenged by police following publication as sources are protected. Clearly responsible media would unlikely engage in the latter but some tabloids do. Unfortunately this can detract from the actual progress being made during the investigation, increase speculation, and sour the in the public eye the competence of police work in general.

I have found in this context that certain UK tabloids using “unnamed sources” have criticised police forces in other countries without any foundation for the claims. This most destructive form of media reporting serves no purpose other than commercial interests.

Unauthorized disclosure of information to the media.

The reasons why a police officer may make an unauthorized disclosure are many but I feel can be grouped as follows: for trading information; for personal advantage including financial reward or by disaffected staff who have an axe to grind with their own organization.

Studies in the UK have found that in the case of personal advantage these can be described as: vanity, ‘buzz’, flirtation, a sense of power and control and professional advantage during employment within the police or to gain future employment elsewhere. There are no doubt in some instances a link to the receipt of hospitality or other favours, including gifts or financial benefits – in which case it is corruption..

It has also been said to me that staff disaffected or in dispute with the organisation can become a source of improper and damaging disclosures to the media, in some cases receiving offers of money for their story. One example in the UK is: “In 2007, a highly confidential Counter Terrorism report was leaked to the Sunday Times. The person responsible, Thomas Lund-Lack, had served an unblemished 34 years with the Metropolitan Police Service before taking up a role in Special Branch

as a member of Police Staff. Mr Lund-Lack cited the reasons for the leakage as being 'annoyed' by his workplace.

Views will differ therefore on whether such leaks are a matter of ethics, impropriety or corruption.

In Portugal, including the Algarve we enjoy a free and largely responsible media and the issues experienced above are in my view far less than in many other countries, in part due to the laws that are in place to protect privacy and human rights.

This article was produced by David Thomas a former Assistant Commissioner of the Hong Kong Police and appeared in the Algarve Resident dated 5th September 2014