

Contact with the media

Support for survivors
of sexual offences

How we can help and about this guidance

We are the Independent Press Standards Organisation (IPSO), the independent regulator of most of the UK's newspapers and magazines.

We protect individual rights, uphold high standards of journalism and help to maintain freedom of expression for the press.

Website: www.ipso.co.uk

Email: inquiries@ipso.co.uk

If you need advice about the Editors' Code of Practice (the Code) or are concerned about a story or a journalist's behaviour, you can contact us on 0300 123 2220. In an emergency after hours or at the weekend, you can also contact us using our emergency 24-hour advice service on 07799 903929.

Our staff are also able to help you to deal with urgent harassment issues. They will talk about your concerns and can give practical advice and guidance. In some cases we can send out a notice which will allow you to pass on a specific request to the industry (for example, to stop phoning you) or concerns about the future publication of material which might break the Code.

If you want to make a complaint, you will need to do this in writing, either on our website (www.ipso.co.uk/make-a-complaint) or by emailing inquiries@ipso.co.uk.

This information is for people who are survivors of sexual offences. It covers the rules the press should follow when reporting on sexual offences and can help you to decide whether or not you want to speak to the press.

If you are a survivor, you might come into contact with a journalist in one or more of these situations.

- If a journalist is reporting on a court case you are involved with.
- If a journalist approaches you for an interview.
- If you speak to a journalist as part of a campaign you are involved in.

Sexual offences are, by their nature, extremely sensitive. You may want to speak to the media about your experiences, to raise awareness or to help other survivors. Or you may choose not to speak to the media. This information will help you in either of these circumstances.

The Code, which we enforce, refers to 'victims' of sexual offences because it is mainly focused on legal proceedings where this terminology is used. We recognise that the language used to describe these matters is important so we have chosen to use the term 'survivors' or 'you'.

The main points:

- Survivors of sexual offences are given lifelong anonymity in relation to reporting those offences. (In other words, your identity will not be revealed.)
- You may be asked by a journalist whether you want to be interviewed about your experiences. You can choose whether or not you speak to the media and, if so, when.
- If your case ends up in court, journalists are allowed to go and can report anything which is said or given as evidence in open court, apart from information which might identify you.
- Journalists are allowed to choose what information they report and do not have to report everything which has been said, but the information they report must be accurate.

Anonymity for survivors of sexual offences

We know that being anonymous can be extremely important to survivors of sexual offences. The law gives you lifelong anonymity in media reports about these crimes and any resulting prosecutions. This means that in most circumstances you cannot be identified as a survivor. The law is slightly different in Scotland.

A survivor has the right to be anonymous from the moment that they or someone else makes an allegation of a sexual offence. Editors of newspapers or magazines can face criminal prosecution for naming survivors.

The Code follows the law closely and bans journalists from identifying or publishing information which might identify a survivor of a sexual assault. The types of information which might identify you include personal details, such as your name or age, as well as information about the alleged crime, such as the relationship between you and the defendant (if any).

If you are an adult survivor, in extremely rare circumstances a journalist can identify you if they have a very good reason to publish that information and they are legally free to publish it, for example, if the journalist was reporting separate court proceedings such as a prosecution for wasting police time.

If you are 16 or under and are a survivor or witness in a case involving sexual offences, a journalist cannot identify you even if they are legally free to do so.

Waiving anonymity

If you want to speak to a journalist about your experiences, you could choose to do so anonymously or you could choose to waive your right to anonymity (in other words, make public that you are a survivor of sexual offences).

Only adult survivors can choose to waive their right to anonymity and you do not have to waive your anonymity to speak to a journalist.

Choosing to waive anonymity is a serious decision, as that means that the public will know you are a survivor of sexual offences. However, choosing to go public with your experience can be very powerful and can help other people with similar experiences to talk about what happened to them.

You should consider carefully whether or not you want to waive your right to anonymity. Before you do so, you may want to get advice from a lawyer, or from an organisation that supports survivors.

If you decide to waive your anonymity, you will need to do so in writing to the journalist who is interviewing you.

Court reporting of sexual offences

What might happen if my case ends up in court?

It is possible that a journalist may come to listen to the trial. If this happens, the journalist can:

- attend one or more days of the trial;
- approach you to ask if you want to be interviewed; and
- publish an article (or articles) about your case.

In nearly all cases, a journalist cannot publish anything which identifies you or might be likely to lead to your identification as a survivor.

What do journalists do in court?

A reporter will take notes recording the trial to make sure that their reports are accurate.

When journalists are present in court, this will mean that they have access to information that is not widely available to members of the public, including the identities of the survivors. It is important that they have this information so that they can hold the courts to account and make sure that what happens is reported on accurately.

A journalist may ask you to comment on the trial. Journalists must make contact appropriately and in a way which protects your right to anonymity. You can decide whether or not you want to speak to the journalist.

What could a journalist publish about a trial?

Generally, newspapers are allowed to publish:

- anything that has been said in open court or used as evidence, including testimony given by either a witness or a defendant;

- the name, age or address of the defendant or witnesses in a court case; and
- photos of anyone involved in a court case, including photos taken by a photographer or photos from an open social media profile.

Journalists must still make sure they do not publish anything which identifies you or might be likely to lead to your identification.

Sometimes people are upset because what they think is important is not included in a story, or because the journalist has published some upsetting information about the crimes. Journalists can choose what is and is not included in an article and may leave out details because they are worried that publishing those details might identify a survivor. Journalists may decide to publish upsetting information because that information shows the severity of the crimes.

A newspaper may also not always report the outcome of a case which it has previously reported parts of. If part of the case has been reported but the outcome has not, you should contact the newspaper. After this, the newspaper should publish a report with the outcome of the case.

Where could the report about my trial be published?

Stories might be published at any point of the trial and may not cover the whole case. Publications might not always print a story with both the prosecution's and defence's arguments, particularly if they were heard on different days. However, a story or series of stories must not be significantly misleading.

Even if there is only one reporter in court, a story may appear in many different publications. This is because the reporter might work for an agency and may provide the story to several newspapers. In other cases, another publication might see the original story and also want to report the case.

Talking about your experiences

You may want to speak about your experience either after the court proceedings have finished or at another time when you feel able. You can choose whether or not you speak to the media and, if you do, when you do.

It is common for journalists to want to speak to someone who they are writing a story about to make sure that what they are publishing is accurate.

What should I think about before I am interviewed?

Before you are interviewed you may want to think about the following.

- Where would you like the interview to take place? You may want to choose somewhere private where you feel safe.
- How you will make sure you have the support you need both during and after the interview.
- If you choose to be anonymous in the interview, which details you are happy for the journalists to publish.
- Whether you want to make your own recording of the interview.
- Whether you will want to see how your quotes will be presented before the article is published.

If you want to see how your quotes will be presented in the article before it is published, you should ask the journalist to agree to this before the interview. However, you should be aware that journalists do not have to do this, and it might not be possible.

What happens in an interview?

A journalist will ask you questions about your experience. You have the right to stop the interview at any point if you don't feel comfortable or to ask for a break.

Speaking about your experience can be empowering but you may also find it upsetting. You might want to bring a friend or family member to the interview with you or contact a support service after the interview.

You should make clear if you want to be anonymous in any articles written about your interview. If you are going to be anonymous, you may want to agree beforehand with the journalist which details can be included, so that you can be confident that nothing will be published which might identify you.

The journalist may take notes of what you are saying, or may make a recording. They do this to make sure that what you have said is accurately reported. You may want to record the interview or take your own notes as well.

What will happen to the information I give?

The journalist will decide whether or not to use the information you have provided in a story. They may not be able to tell you when the article they are writing will be published.

If you want to see how your quotes will be presented in the article before it is published, you should ask the journalist to agree to this before the interview.

Sometimes journalists may be able to show you what an article will look like when it is published, including any quotes that you have provided, to get your agreement before they publish it. This is called 'getting copy approval'. Journalists do not have

to give you copy approval, and it is fairly uncommon. It is more likely if the story is going to be presented as being told by you. If you want copy approval, you should talk to the journalist about this before the interview.

When articles are published, they are given headlines which highlight certain parts of the story, often the most striking or dramatic parts. The headline is often not written by the journalist that you spoke to, but by someone else and it is unlikely that a newspaper or magazine would be able to tell you what it will be before the article is published.

You should be aware that even if you give an article to a print newspaper, it is likely that the article might also appear online, especially if the newspaper has an online version. The online version could be slightly different to the print version.

If an article is published, it is possible that other newspapers or magazines will also write about your experiences. They may choose to write that article in a way which is suitable for their readership.

What if I am unhappy with the coverage?

If you have concerns about how your story has been covered, or about how the journalist behaved, you can contact us.

We can only consider complaints about newspapers or magazines (and their websites) which are our members.

If you want any advice on how to make a complaint, or if you want to see if a publication is one of our members, you can check our website or call us for advice.

ipso.

Gate House, 1 Farringdon Street, London, EC4M 7LG, 0300 123 2220,
inquiries@ipso.co.uk, www.ipso.co.uk

The Independent Press Standards Organisation C.I.C is a Community
Interest Company limited by guarantee and registered in England and
Wales with registered number 02538909

Crystal
Mark
22890



Clarity approved by
Plain English Campaign