

# IF THE MEDIA CALLS:

A GUIDE FOR CRIME VICTIMS & SURVIVORS



MEDIA GUIDE



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## A QUICK GUIDE: THINGS TO KNOW

- You always have a choice about whether to speak to the media or not. If you choose to speak with the media it is important to understand that you will have little control over what is actually reported and how it is presented to the public (see pages 5, 6 & 7).
- Never speak “off the record”. Everything you say during an interview is on the record. Take time to prepare for an interview and consider having a support person with you. You may also wish to appoint a spokesperson to deliver consistent messages to the media (see pages 3, 10 & 11).
- If a police investigation is ongoing or criminal proceedings are underway, media coverage can affect this process and potentially impact the criminal case. It is important to discuss what you can and cannot say with the police, Crown Attorney or victim services prior to speaking with the media (see pages 5 & 7).
- Be cautious about what you post in social media spaces as journalists can seek and publish this information (see page 12 & 13).
- Media outlets often fight for access to private information restricted by the courts because it is “in the public interest” (see page 12).
- Your privacy may be difficult to guard. Expect the media to report the nature and details of your case even if there is a publication ban in your case. They may also print part or all of your victim impact statement, as it becomes part of the public record once it is filed in court (see page 3, 4 & 5).
- Remember that the media can report on a crime, the investigation and criminal proceedings at any time, including after the trial concludes. Their reports may take victims by surprise months and years later (see page 2).
- Media interest and coverage varies from case to case and declines overtime. Reporting depends on whether a story is considered “newsworthy” and other news that is competing for coverage at the time (see pages 3 & 7).
- The tone of media coverage can change at any time. For example, initially the media may portray the victim in a positive light and then suddenly coverage can become more negative. Victims may be blamed for what happened to them, for instance, if it is discovered they had a criminal record (see page 5).

## **PURPOSE OF THE MEDIA GUIDE**

This Guide is intended to help crime victims and survivors work effectively and comfortably with the media (or to decline to do so). Interacting with the media following victimization is a significant decision for crime victims as media exposure can positively or negatively impact your recovery process.

If you are a victim or survivor of a serious crime, the media may want to interview you. Being a victim or having a loved one who has been victimized does not mean that you have to give up your right to privacy. Victims who do not wish to speak to the media can refuse at any time by respectfully declining.

Victims who choose to share their story publicly may feel anxious about an upcoming interview. Being well-prepared in advance of the interview will help reduce these feelings. This Guide will help victims prepare for interacting with many forms of media.

### **BREAKING THE NEWS IS WHAT MATTERS:**

- Although victims may be in shock or highly traumatized, the media wants answers to their questions and they do not want to wait.
- The media wants to report the facts of the case to the public and this is especially true in high-profile cases or where a suspect has not yet been found or arrested.
- The media can report on a crime, the investigation and criminal proceedings at any time, including after the trial concludes. Their reports may take victims by surprise months and years later.
- Although most journalists try to show respect, keep in mind that members of the media have little formal training with regard to how to approach victims sensitively.

## THE MEDIA FOCUSES ITS COVERAGE ON:

- Newsworthiness – Some groups of crime victims are deemed more newsworthy than others. Newsworthy victims include children, women and the elderly. Oftentimes journalists will make extensive efforts to conduct interviews and collect statements from victims who are viewed as more innocent. It is important to note that race, class and economic status play a role in media reporting. Non-newsworthy victims include sex trade workers, men, marginalized groups and visible minorities. Media coverage in these cases may be lacking.
- Types of Crimes – Violent, high-profile and sexualized crimes receive more coverage than other crimes not only in volume, but also in the extent of exposure. Despite being more rare, crimes that are committed by strangers garner more attention than crimes committed by people known to the victim.
- Youth Crime – The media over-exposes crime committed by youth and fails to adequately report about youth who are victimized, which occurs at high rates in Canada. In some cases, children and youth can be exploited by the coverage or photographs that are printed.

## WHAT TO EXPECT FROM THE MEDIA:

- Privacy can be a very difficult thing to guard, especially in high-profile cases where it is almost impossible to escape media coverage.
- Aggressive or insensitive reporters/journalists may impact a victim's ability to grieve with dignity as well as affecting the personal privacy of everyone involved.
- The media are interested in emotional stories. For victims, it can be very difficult to remain calm following victimization. Have support with you or appoint a spokesperson if needed in order to avoid tears, sadness, anger or outbursts when interacting with the media.

- The media can file live reports from the crime scene or trial via social media and will use several mediums, such as video, audio and pictures, to convey information about the crime.
- High-Profile Crimes: A case may become high-profile within a small community or large city, while other cases can gain national or international attention. You may expect this type of coverage if: the nature of the crime is unique or bizarre; the victim is perceived as vulnerable; the offender appears to be a contributing member of society; there are multiple victims; the violence was excessive or of a sexual nature; the offender was a stranger to the victim; the victim was missing for a period before being found; or if the victim/offender is well-known to the public.
- Speed of Reporting: Journalists want to file/broadcast their story as soon as possible and minimal care may be taken in fact-checking. Reporting often happens live, especially through social media, and can even occur from the crime scene.
- Privacy: Journalists can be very intrusive and may request interviews at sensitive moments, such as funerals, trials, sentencing, parole hearings and anniversaries. At these times you may feel confused, vulnerable and incapable of speaking publicly. The media often digs for information, including searching through a person's past in order to uncover information to incorporate into a news story. Even if there is a publication ban in your case, the media may still report on the nature and details of the case. You should also be aware that the media can access your victim impact statement and may print part or all of it, as it becomes part of the public record once it is filed in court.
- Personal Information: The media may provide 'access' to a victim or their family members by publishing names, addresses, known associates, friends and family, as soon as they discover their identity. They will not wait for victims to inform their extended families of tragic news. You must expect that any personal information that is discovered could be published.
- Film and Photography: Reporters and journalists will try to capture video and pictures of the violence, including body bags at the crime scene and injured persons. They may do so persistently and at inappropriate times without your knowledge or consent. The media does not need your permission to

use photos taken of you at the crime scene, at a funeral, from social media pages, etc. Even though you may believe this is an invasion of your privacy, the media views these images as humanizing the story and adding dramatic effect.

- **False-Information:** In cases where little information is available, the media may speculate to create a more interesting or newsworthy story. This may impact the victim's credibility negatively and increase feelings of shame.
- **Too Many Details:** Loved ones can learn devastating and hurtful information about the victim and the nature of their victimization through various media outlets.
- **Insinuations:** In some cases, the media has blamed the victim for what has happened. The way a story is reported can infer that the victim was in some way responsible for their own victimization and can affect the reader's feeling of empathy or create blame towards the victim. Although the media does not intentionally print false information, what they write may not be the truth, as you understand it.

### **MAKING YOUR DECISION:**

- It may be difficult to decide whether to speak with the media or not. Both positive and negative effects of coverage are possible.
- Throughout the process, you will be able to exert little control over what details get media attention; and at any point in time, reporting may turn from positive to negative. For this reason, you should exercise caution with regard to what you share with the media.
- While the information you release is under your control, you should know that journalists can acquire information about you or your loved one from other sources.
- If a police investigation is ongoing, media coverage can affect this process and potentially impact the criminal case. It is important to discuss what you can and cannot say with the police, Crown Attorney or victim services prior to speaking with the media.

- Remember that you do not have to speak to the media, even if they are very persistent. It may be a good idea to avoid speaking to the media while you are still in a state of shock and denial, or while you are feeling confused and distraught, which are all normal reactions following violence.

## **POSSIBLE BENEFITS OF SHARING YOUR STORY IN THE MEDIA:**

- Changing Public Policy & Awareness: You may bring attention to current inadequate government policies and help be a voice for change within the criminal justice system.
- Awareness of Victimization: Being victimized takes a toll physically, emotionally, spiritually, financially, socially and psychologically. Coverage about individual victims can help other citizens understand what happens to crime victims and how violence affects them and their loved ones. You can help future victims cope with certain stresses and anxieties. Your story can be a driving force for those who work in the field of victim assistance.
- Your Side of the Story: Telling your story brings balance to the criminal justice system by sharing the perspectives of the crime victim/survivor as the media often focuses on the accused/perpetrator.
- Prevention: Educate the public and help prevent similar victimizations.
- Humanization: The oversaturation of crime in the news can lead to the dehumanization of victims. Crime deeply affects victims and their loved ones and it also impacts communities. Speaking out through the media may serve to help others see the direct impact of crime.
- Validation: Sharing your perspective with others may bring support and validate what you have been through. The experience may prove to be therapeutic in dealing with what has happened.
- Inspiration: Your circumstances and what you reveal to the public may inspire others to report crime and/or seek support.
- Empowerment: You may feel that you have regained control of your life by sharing details of your victimization, as well as through influencing change in the criminal justice system.



- Support: Telling your story may increase public support for victim assistance initiatives.

## **POSSIBLE RISKS OF SPEAKING OUT IN THE MEDIA:**

- The Police Investigation: It is wise to refrain from commenting in the media, especially if the police are still investigating. Speaking to the media during the police investigation or trial could jeopardize a criminal case. Be sure to consult with the detective in your case, police media officer or victim services staff, if you are unsure.
- Well-Being: For some victims, speaking publicly about what happened to them can intensify the trauma of victimization. It takes time to work through being victimized, let alone coping with ongoing police investigations, court processes and intrusive media.
- Lack of Control: It is impossible to predict how one's case will be covered, if at all. There is potential for gaps in coverage and intensity of coverage. Some cases get little coverage due to competing breaking news at the time.
- Revictimization: People may feel revictimized when reporting is insensitive, inaccurate or sensationalized. The media can cause additional harm by being insensitive and intrusive in searching for information.
- Photographs: Keep in mind that any photo you provide to the media of your loved one will be used continually in reporting, even months and years later. If the media cannot track down a photo immediately, they will go to social media spaces and may use an image out of your control. The media can also film/photograph your home if they remain on the road and not on your property.
- Family Members: Family may not be supportive of your need to speak out in the media. They may not feel ready to include the public in their grieving process. Family members also might not want certain information released. Victims should consider extended family members and young children/youth that may be affected by media reports now and in the future.

- Media Letdown: In the immediate aftermath of the crime, the media are constantly present and the victim's story may be in the headlines. Eventually, other news begins to take precedence and victims may feel abandoned and alone.
- Aggressive Reporting: Reporters may seek interviews immediately after the crime, at funerals, trials, sentencing, parole hearings and anniversaries. They may phone or e-mail you, approach you in public, find you through social media or visit you at your home or workplace.
- Where Your Information Gets Posted: When you release statements to the media, your information can be published in many places. You should expect the information you release to be printed in newspapers/magazines, talked about on television and radio, referred to in blogs, on Facebook, Twitter, and all over the internet. Once made public, it is very difficult to take back or erase the information.

### **TIPS FOR SPEAKING WITH THE MEDIA:**

- Decide whether you wish to give an interview, read a prepared statement, or simply release a written statement.
- It is important to consider whether you wish to deal with the media yourself, use someone else, or ask someone experienced in dealing with the media to be your representative. Some families appoint one member to act as the media spokesperson to control and keep track of what is being said. It might also be helpful to have a friend or family member search media reports in order to buffer family members who may be more vulnerable. If a report is particularly negative, the victim can then choose whether they want to view it or not.
- If you decide to do an interview, prepare a statement in advance and place boundaries on the interview. Be cautious about what is recorded or filmed. Once an interview is recorded, a photograph is taken or an event filmed, you have little control over how it is used and you cannot undo what is done.

- If you are uncertain as to what you can say to the media, or whether you should talk to them, you should seek advice from the police, Crown Attorney's office, or local victim services.

### **PREPARING FOR INTERVIEWS:**

- You can select the date, time, and location for a media interview.
- Ask the reporter what the story is about to help you prepare. When possible, ask a reporter to email questions to you in advance. You can then choose to answer them by email. Remember you have more control over what you write than what you say.
- Prepare statements in advance and avoid making statements in the heat of the moment.
- Come up with 3 or 4 points you would like to get across, write them down and say them right away during the interview. For example: "The one thing I really want to say is . . .," or "My most important message is. . ." Return to those messages and repeat them in different forms whenever you can. Do not let the reporter derail or distract you from your original points.
- You can control the information you share. You can set limits and tell the reporter you won't discuss some things. Once you have said something to a reporter, you cannot take it back or expect them not to use it.

### **DEMAND RESPECT:**

- Stand up for yourself. Don't let a reporter treat you badly or cross boundaries that make you uncomfortable.
- Give yourself a break if you get emotional during the interview. It is okay to ask for a 5 or 10 minute pause to collect yourself.
- Ask that cameras/reporters not attend a funeral or the victim's home, or show offensive images on television.
- Require anyone who visits your home uninvited to leave, and call the police if they refuse to do so.

## **SAYING NO IS OKAY:**

- You can refuse to answer any question that makes you uncomfortable. It is okay to say, "I cannot answer that at this moment."
- You can end an interview at any time. Try to be calm if you choose to cut the interview short.
- You can avoid a stressful atmosphere by speaking to only one reporter at a time.
- You can and should exclude young children from interviews.
- You can refuse photographs by conducting a television interview using a silhouette or doing a newspaper interview without having your photograph taken.
- You can ask to have a support person present with you during any interview.

## **CONDUCTING THE INTERVIEW:**

- Relax and take your time. Speak slowly and clearly.
- Listen to the entire question before answering. Make sure you understand the question being asked.
- Think about your answer before speaking.
- Be honest. If you don't know the answer to something, say so.
- If you're unsure, you can always say, "I don't have enough information to fully answer your question."
- Be consistent with your information.
- Never give false information or lie to a reporter.
- Do not guess or speculate about the case. Stick to what you know.

- When you talk to a reporter, remember that you are also talking to everyone in their audience – possibly thousands of readers, listeners or viewers.
- You can audiotape or videotape all interviews to ensure the accuracy of what you say.
- Never speak “off the record.” Everything you say during an interview is on the record. Do not say anything you would not be comfortable seeing in print. Once you have answered, stop talking. Everything you say can be used in the media report.
- Get the media on your side – they may have information that you have not been told. Ask them what they know.

### **AFTER THE INTERVIEW:**

- You can demand a correction when a mistake is made.
- File a complaint with a media outlet or the provincial press council.
- Let victim services or law enforcement know if you feel harassed by reporters.

### **WHAT TYPES OF QUESTIONS MIGHT THE MEDIA ASK?**

The cold questions of media can sometimes seem hurtful or unfair. If you agree to speak with a reporter, you should prepare for possible questions as well as thinking about what you are comfortable releasing, such as:

- What happened to you/your loved one? When did you learn about it? Where were you when you found out? How did you find out?
- Why was your loved one doing what they were doing when this happened?
- How has this affected you and your family?
- Tell me about your loved one. Who was he or she?
- How do you feel about what happened to you? Are you angry about what happened?

- Who was involved?
- Why did it happen? What was the cause?
- What would you like to see done now? Who is to blame? Who should pay for this and how?
- What can we all learn from this?

## **TECHNOLOGY & SOCIAL MEDIA**

- Technology has changed the way crime is reported and how quickly reporters must write/file their stories in Canada. Newspapers no longer have publication deadlines for the morning paper as they all have websites that distribute information about the incident immediately.
- Most crime/justice reporters are on Twitter which allows them to broadcast information instantaneously from crime scenes, the trial, etc.
- The mass media is only bound by publication bans (particularly the names of child victims and witnesses and adult sexual assault victims), court orders and their employers' policies. Media outlets often fight for access to private information restricted by the courts because it is "in the public interest". Public interest means information that benefits public safety or welfare.
- Social media can be a source of information for those curious about the victim(s). Journalists look for personal information found in blogs, personal websites and social media sites such as Facebook, Twitter and Instagram to include in their stories. They can gather a great deal of background information and photographs of victims and their family members through their social media pages.
- Catalyst.ca reports that 75 percent of Canadians own a smart phone. Many of these users have accounts with one or more social media platforms, which allows them to instantly share their feelings or beliefs on the victimization. Users should remember that pictures, comments and status updates may give those who are tagged unwanted attention, and in some cases, put them in danger. Online posts can also change the course of a police

investigation or alter a trial verdict. Anything posted online or emailed can be accessed by defense lawyers and used in criminal court, as was seen in the Ghomeshi trial. Online activity may also be viewed by the offender, so it is important to maintain privacy.

- Video streaming, available through platforms like Periscope or Facebook Live, allows users to share events as they happen. Livestreams have been used to record assaults and other types of crime. They offer a raw look at what happened, and have been used in the media. They can also be used as evidence in court.
- Following victimization, victims/survivors and their family members should be very cautious about what they post in social media spaces. It is recommended to restrict privacy settings and to refrain from posting personal details or location. Family members may wish to check with a particular social media application to see how to secure or close down their loved one's accounts.
- *Anyone Can Publish*: The internet allows people to anonymously post harmful comments, videos, and pictures. This can impact you by having sensitive or previously undisclosed information about you, the victim or the offender released. Family members and friends may also learn about important or sensitive information through online sources before you get a chance to inform them.
- *Fact/Fiction*: People tend to believe everything that is posted on the internet, regardless of the source or reliability. Falsehoods can be made about the crime, the victim and the offender.
- Please note that even though your account profiles may be set to private, your social media presence can still be found. It is almost impossible to keep your personal information private when social media is involved. Do not share too much online. Do not upload anything that might compromise your safety or integrity.

## **CONCLUSION**

The trauma you experience upon victimization is significant and will take time to process. Having to deal with the media on top of all the personal challenges you face may be daunting. Be sure to consider all the possible risks and benefits before engaging with any media. You have the right to decline speaking to media and guard your privacy. If you do wish to share your story, plan ahead and seek support from your local victim services. Increased media attention may follow being victimized, so be prepared for interviews and other media inquiries in order to reduce stress levels.

## **HAVE A QUESTION THAT WAS NOT ANSWERED?**

### **Contact us:**

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