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EU SUPPORT TO LAW ENFORCEMENT

Recommendation

**on the Improvement of Public Relations
Activities and Joint Communication on
Criminal Cases of the Police and Public
Prosecutors in Bosnia and Herzegovina**

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Under the leadership of the Austrian Federal Ministry of Interior, this project utilizes a broad range of experience of other implementing partners from across the European Union: the International Centre for Migration Policy Development, Ministry of Interior of Hungary, Ministry of Interior of Republic of Slovenia, and the Police Academy of the Federal State of Brandenburg. Beneficiary partners are BiH law enforcement agencies at state, entity, cantonal and Brčko District level.

Foreword

The EU Support to Law Enforcement Project is to support law enforcement in Bosnia and Herzegovina. The project has 10 components, covering the whole area of fighting against crime especially different types of organized crime, institutional buildings, increasing the cooperation between key actors of the law enforcement area.

Component 9 is responsible for justice and police cooperation. One of the most important elements of enhancing cooperation is to recommend a new strategy on communication. The police and prosecutor offices must communicate more efficiently in order to increase the success of crime investigations. The communication towards the public and media also need to be improved. The uncontrolled and badly planned media work at law enforcement bodies during a crime investigation is undermining the public trust towards them and jeopardizing the success of crime investigation.

Let the investigators and prosecutors to do their job, to have common successful investigation and leave the media work for those who are trained on that issue, for the spokesperson both at police and prosecutor`s offices. The media also would like to get right and updated information and a contact person who is able to assist them.

This recommendation gives you an overview how to plan the media work from the very beginning until the end of a crime investigation.

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Executive summary

Media work is an essential component of communication with the population. The **broad range of positive measures** taken in the fight against crime **should be communicated to the public as professionally as possible. This goal can only be achieved through close cooperation between the police and the judicial system.**

In the interest of all those concerned, public relations activities should comply with the following guidelines and principles:

- **The staff members** responsible for the coordination of public relations **have to be aware of their position as service providers.** In order to be successful, they have to act and communicate in a manner that is:
 - credible and fact-based,
 - dialogue-oriented and comprehensible,
 - appropriate in the given situation and
 - cooperative.

- Public relations work has to be coordinated as much as possible. **The guiding principle should be “one message – two voices”,** given the fact that two actors are involved (police and prosecutor`s offices).

- **Successful media work must be based on intensive and team-oriented cooperation** between the organizational units and/or staff members responsible for public relations within the police and the judicial system.

- **Media work serves the purpose of informing the population rapidly, actively and professionally in matters relating to internal security.** To achieve the best possible output, media work in major cases must **ALWAYS** be mutually agreed by all those concerned.

At crime scene investigation the following guidelines should be taken into account:

- **A special space should be dedicated for media representatives at crime scene, out of the restricted zone, marked with yellow stripes.**

- **It is not allowed to take pictures or films on the crime scene. Information should be given only by authorised spokespersons.**

- **Spokespersons should have a thorough discussion with the chief investigator in order to determine what kind of information is available for public use.**

The following applies under all circumstances:

- Only verified information is communicated to the outside world.
- Official statements are made exclusively by persons appointed to do so (media spokesperson).
- Neither the police nor the public prosecutor will make assumptions or engage in speculation.
- Despite pressure from the media, the above principles of media work in criminal cases will not be disregarded.
- Coordinated media work leads to success.

1. Definition of Public Relations

In terms of communication, public relations comprise all instruments and measures conducive to building credibility and confidence among clearly defined internal and external stakeholder groups (media work, internal communication, event management, advertising, corporate identity, etc.). Media work is an essential component of communication with the population.

2. General Objectives of Public Relations

The first and foremost objective consists in actively strengthening internal security in Bosnia and Herzegovina and in presenting the achievements of the police and the judicial system (e.g. in the fight against crime) to the public in the best possible way. Thus,

- **image of the police and the judicial system is to be improved and the public's confidence in the work of the police and the judicial system is to be strengthened.**

The **broad range of positive measures** taken in the fight against crime **should be communicated to the public as professionally as possible. This goal can only be achieved through close cooperation between the police and the judicial system** and a shared willingness to communicate both internally and with the outside world. The relationship between the police and the judicial system is not a competitive one, as each of the two actors contributes essentially to the solution of crimes. Public relations activities are to

- present the work of the police and the judicial system, especially in the fight against crime, in a transparent and comprehensible way;
- reaffirm and strengthen the public's confidence in the work of the police and the judicial system; and
- ensure a positive perception of the police and the judicial system by the public.

In view of the above and in the interest of all those concerned, internal as well as external public relations must be well coordinated, active and service-oriented. Each of the actors involved contributes toward the achievement of the aforementioned objectives. Approaching public relations in the most professional way is in the shared interest of the police and the public prosecution office.

Media work relating to criminal cases therefore should take guidance from the objectives specified herein; it has to be continuously monitored to ensure that the desired effect is achieved.

3. Guidelines and Principles of Public Relations

In the interest of all those concerned, public relations activities should comply with the following guidelines and principles:

- **The staff members** responsible for the coordination of public relations **have to be aware of their position as service providers** for internal and external target groups. In order to be successful, they have to act and communicate in a manner that is:
 - credible and fact-based,
 - dialogue-oriented and comprehensible,
 - appropriate in the given situation and
 - cooperative.

- Public relations work has to be coordinated as far as possible. **The guiding principle should be “one message – two voices”**, given the fact that two actors are involved. Poorly coordinated public relations work runs the risk of failing to reach the above objectives: successful operations will not be perceived by the public as intended.
- **Successful media work must be based on intensive and team-oriented cooperation** between the organizational units and/or staff members responsible for public relations within the police and the judicial system.
- Joint training and further training in the field of public relations, especially in media work, are essential prerequisites for professional PR work.
- Joint planning and evaluation provides the indispensable basis for professional, active and successful communication.
- **Media work serves the purpose of informing the population rapidly, actively and professionally in matters relating to internal security.** To achieve the best possible output, media work in major cases must **ALWAYS** be mutually agreed by all those concerned.

4. Media Work in Criminal Investigations

Major operations by the criminal police, arrests, investigations, etc., always attract a great deal of media interest. Therefore, professional media work is particularly important:

- **If media work is inadequate even the best police operation may not be considered a success.**
- **A lack of professionalism in media work may result in negative media coverage, regardless of the quality of police work.**
- **Both the police and the public prosecution office have every interest in showing the public at large what they do to combat crime – and therefore must work together.**

Media work relating to successful criminal police operations **must be well coordinated on the basis of a common media plan** elaborated well in advance of the police operation. Rumours, speculations and misinformation can be prevented through active communication.

The scope of active media work depends on the operation concerned and **has to be agreed upon between the police and the public prosecutor on a case-by-case basis.**

4.1. Early coordination of media work between the police and the public prosecutor

What applies to investigative work, which demands that questions be clarified between the public prosecutor and the criminal police as part of a standard routine, also applies to media work, which needs to be coordinated **in time** as an essential factor of the success of an operation and its perception by the public. It is important to note that decisions on media work should not be taken by the investigators themselves, but **by the media spokesperson or the public relations manager.**

The media work planned for the time **before, during and after** the operation should be agreed upon well in advance.

Even if no active media work is to be done, a procedure should be elaborated and/or an agreed wording prepared. In major cases, including international ones, there is always a risk of media representatives finding out about the operation either from informal sources or from foreign media.

In all criminal police operations, with contributions made by the police and the judicial system, media work – if media work can or should be done – has to be agreed upon and coordinated from the very beginning. Each of the actors contributing to the success of the operation must be given the opportunity to convey their messages and to present their achievements to the public, thus creating a positive image and/or ensuring positive media coverage.

4.2. Principles of police media work

The following issues must be taken into consideration before and in the course of media work in criminal cases:

Before entering into contact with the media, it is important to consider:

1. the impact of media relations on the public, and
2. the potential pain caused to victims, the feelings of relatives and the need for privacy protection.

In the course of media contacts, due consideration must be given to

- the legal framework (see Annex 1 containing the relevant legislation in BiH),
- the duty to provide information,
- compliance with data protection requirements,
- the obligation to observe official secrecy,
- the division of tasks – each actor only communicates matters within his/her own sphere of responsibility.

Additional issues to be considered when providing information:

- instructions received from superiors, if any, depending on the circumstances of the case,
- the presumption of innocence,
- the rule that the disclosures made must not jeopardise further investigations,
- non-violation of the rights of individuals concerned,
- respect of privacy,
- public interest.

Personal information must not be made accessible to the public or communicated to media representatives by the police or members of the judicial system, unless the disclosure of such information is provided for by law.

5. Instruments of Joint Public Relations

- Press conferences
- Press briefings / Interviews
- Information published on the Internet
- Press releases
- Background briefings

6. The Three-Stage Model of Media Work

The three-stage model described below applies to all public relations measures and the related decisions.

Stage 1: Decentralised public relations in minor routine cases and/or operations

In minor criminal cases of a routine nature, media relations can be managed independently by the officer responsible for the operation or another officer nominated by the former for the case in question, provided they do not concern cases or operations going beyond that officer's jurisdiction in terms of territory or substance.

Stage 2: Coordinated decentralized media work in more important criminal cases and/or operations

In more important cases or operations going beyond the jurisdiction of the head of operations in terms of territory or substance, decentralized media work is to be managed by the head of operations after prior consultation with the media spokesperson or by an officer nominated by the media spokesperson. If necessary, the media spokesperson has to decide on the wording of the statement to be issued and/or monitor and support public relations.

Stage 3: Closely coordinated media work in major, international criminal cases and/or operations

In cases attracting special media interest, either regionally or nationally, regular and long-term public relations activities, including media work, must ALWAYS be planned and implemented in a coordinated fashion in order to achieve the best possible result.

In all cases of stage-three media work, comprehensive and professional media relations on site (scene of crime, accident site, event venue, ...) must be ensured as quickly as possible. The issues to be considered include the following:

- Immediate clarification on the division of tasks between the police and the public prosecutor;
- Providing for on-site media contacts, ideally by the media spokesperson;
- Immediate communication of the contact data of the media spokesperson to all relevant units, both internally and externally. Accessibility by telephone at all times must be ensured. The media spokesperson can be reached by journalists or contacted internally at all times on a mobile phone;
- The contact data of the media spokesperson are communicated to the media in a press release;
- Active dissemination of information on a step-by-step basis, agreed upon with all relevant units, through interviews, press statements at certain times and/or press conferences;
- Drafting and dispatch of agreed press statements.

7. Coordinated Media Work prior to Major Operations (arrests, police raids, international operations)

The following questions relating to media work should be subject to agreement between the police and the public prosecutor:

1. Is any media work to be done?

- If not, how are the media expected to react and how will the police and the public prosecutor deal with the situation?

- If yes, what is the procedure?

2. Which approach will be taken in media work (active, passive)

- Active: Timely elaboration of a **communication plan**, including the instruments to be used:
 - Interviews
 - Press conference / press briefing
 - Press release
 - Background briefing
- Passive: Information to be provided ONLY upon enquiries received from media representatives

3. Who is in charge of dealing with the media (24-hour accessibility)?

- Who provides information for the media at the police?
- Who provides information for the media at the public prosecution office?

4. What kind of information is provided by the public prosecution office / by the police?

- Mutually agreed wording is important
- Agreed core statements / core messages (even if no “active” media work is being done)

5. When to start with active media work?

6. Where (at which locations) are the instruments of media work to be employed (press conference, background briefing, etc.)?

7. How is the exchange of information between the police (media spokesperson, head of operation/investigations, head of authority) and the public prosecution office organized before, during and after the operation?

Check list for media work by police / public prosecutor – To be clarified in advance

Activity	
Question 1: Should the operation be communicated?	Yes / No?
Question 2: If yes, who provides information?	What kind of information is to be offered by the public prosecution office? What kind of information is to be offered by the police?
Question 3: When and how will information be provided?	e.g. after first wave of arrests, the day after, etc.
Question 4: What is to be communicated?	Core messages of the public prosecutor / the police?
Question 5: How will information be communicated?	Which instruments (press conference, press release, interview etc.) are to be used?
Question 6: Who are the media spokespersons of the public prosecution office and the police (to be reached around the clock)?	
Question 7: How is the exchange of information between the police (media spokesperson, head of operation/investigations, head of authority) and the public prosecution office organised before, during and after the operation?	
Question 8: What are the core statements / core messages – even if no “active” media work is being done?	
Question 9: Alternative scenario – Plan B: What are the options in the event of an unintended information leak?	Plan B applies in the event of an information leak that might jeopardize the operation and/or media work cannot be implemented as planned, e.g. information about impending arrest leaked to the media. What will be done in that case?

8. Emergency Communication

If major operations are NOT to be disclosed to the media at the time they are carried out, e.g. for tactical reasons, an agreed emergency communication plan should be ready for implementation in the event of information about the (major international) operation leaking to the media and thus jeopardizing the investigations / the work of the police. As a rule, the emergency communication plan is crucial for the success or failure of the operation in the public's perception. Poorly coordinated and unprofessional ad-hoc reactions may endanger the success of the operation in terms of its presentation by the media. Therefore, it is particularly important to clarify **in time** who is in charge of talking to the media and how media work is to be organized.

When specifying the procedure, the questions listed under Item 6.2 should be taken into consideration. In all cases, information is to be provided exclusively by the media spokesperson and/or the group of persons nominated for that purpose. No information is to be disclosed to the media, e.g. by the investigating officers, without prior approval by the media spokesperson and/or the head of the authority. In any case, the following questions should be answered in advance by the police and the public prosecution office:

1. Decision: Communicate – yes or no?
2. Who is the spokesperson (hierarchy of spokespersons)?
3. What is to be communicated? Substance
4. When to communicate?
5. How to communicate – which instruments are to be used?

9. Media Work by the Police at the Crime Scene

Which questions by media representatives must be answered at which point in time to ensure professional media work? The following check list is intended to facilitate on-site media work for all those concerned.

Media work at the crime scene is a delicate issue. Media representatives expect answers to their questions at a time when little reliable information is available, as the facts of the case are yet to be verified (= chaos phase). Stalling tactics will not work, as media representatives expect to be informed from the very first moment. Therefore, they have to be given some information, which must, however, be limited to facts that can be fully disclosed. If they get the impression that the police or the public prosecutor are hiding things from them, the media will find other sources of information and reports will go out, whether you like it or not.

The following applies under all circumstances:

- Only verified information is communicated to the outside world.
- Official statements are made exclusively by persons appointed to do so (media spokesperson).
- Neither the police nor the public prosecutor will make assumptions or engage in speculation. Despite pressure from the media, the above principles of media work in criminal cases will not be disregarded.
- Coordinated media work leads to success.

The following check list is intended to facilitate professional media work during the so-called chaos phase of a criminal investigation, with due consideration given to the legal and ethical principles to be observed.

10. Check List for Media Work by the Police / the Public Prosecution Office – Media Work at the Crime Scene

Check list for "crime scene media work" – First information

What, who, where, when, how – questions to be answered if the facts have already been established and can be disclosed at that point in time.

What happened?

- e. g. murder, arrest, operation

Who was murdered / who was arrested?

- e. g. woman or man, disclosure of the victim's sex
- e.g. approximate age, if it can be established

Where was the body found / where was the arrest made?

- e. g. scene of crime (e. g.: victim's home, forest, passenger car ...)

When was the body found / when was the arrest made?

- e.g. at midnight

How was the body found / who was involved in the operation?

- e. g. by passers-by / special units, local criminal police

The on-site contact for media representatives is FIRST NAME, SURNAME, to be reached under his/her mobile phone number _____.

Second crime scene information

Who is the victim?

- Identity established? Y/N?

Are there any indications of third-party involvement?

- Y/N

Who found the victim?

- Father, son, neighbour, etc. (general information, no personal data)

How was the victim killed?

- Strangled, slain, shot, etc.

What was found on the victim's body?

- e.g. strangling marks, gunshot wounds, scratches.

In what condition was the victim found?

- Dressed in _____, naked, half naked etc.

Further information will presumably be given at _____ hrs..

Third crime scene information

Has the murder weapon been found?

- Y/N

- If so, what kind of weapon is it?

What are the potential motives?

- No speculation

Was the crime committed at the place where the body was found?

- Y/N
- In NOT, which traces suggest that the crime was committed elsewhere?

Who lives at the scene of crime?

- e.g. father, mother, partner, etc. (general information, no personal data)

Who was the last person to see the victim alive (if it not jeopardizing the life of the witness)?

- e.g. father, mother, partner, etc. (general information, no personal data)

Where was the victim last seen?

- e.g. place of work, sports ground, bus (general information, no personal data, no name of employer)

What type of murder could it be? WHAT CAN BE EXCLUDED?

- No speculation, only verified and well-founded information
- e.g. murder with robbery, sexual murder

What did the victim carry on his/her body and/or are any of his/her belongings missing?

- e. g. handbag, wallet, mobile phone, etc.

Fourth information – on following days

Further information:

What steps have already been taken by the criminal police and the public prosecutor?

What further steps are being planned?

Have any suspects been identified so far?

Have first results been obtained or have interrogations taken place?

- Are the persons charged ready to confess? Y/N

Can mug shots be made available?

- Publication via the media

11. Photographs and film recordings at the scene of crime

To make sure that the victim's rights to privacy are respected, photographs and film recordings at the crime scene are only allowed in the presence of the media spokesperson **and can be made by the authority (police office or prosecutor's office). The respective authority have to made available to the media representatives in time and in adequate quality the films and photos (downloading from their web-page).** Photographs and film recordings are subject to strict rules specifying that such photographs and film recordings must not

- hinder, jeopardize or impair the work of the criminal police,
- violate the privacy rights of third parties (e.g. the rights of victims), and
- disclose the identity of the investigators.

