

# What You Should Keep in Mind When Reporting on Criminal Cases and Trials

Preparing the material about criminal and legal cases requires many things from the journalist: ability to identify the essence of the conflict; stress resistance because it is very difficult to distance oneself from personal tragedies and from taking sides; knowledge of laws describing the principles of the media's reporting on criminal cases, as well as the knowledge of ethical aspects of similar work.

## **Do the media have a right to report on criminal cases?**

Yes, they do. In particular, according to the Kyrgyz law, transparency of the trial and the procedure of access to the judgment hall during closed court proceedings, criminal proceedings against adults [must](#) be open and public.

The verdict and the sentence are usually delivered in an open court hearing and therefore are publicly accessible. In other words, the media have the right to publish the verdicts issued on criminal cases.

## **Is it allowed to publish surname, name and other personal data of the accused in the media before the trial?**

C

Sometimes, when such information becomes available to the media, or the names of the persons involved have been officially announced, i.e. the information has been disclosed, it may be published. But, such cases usually happened to the persons who were deemed public figures.

Meanwhile, you should keep in mind the presumption of innocence principle, which says, "Every person accused of any crime is considered innocent until proven guilty by court."

The person of interest has a status of “accused” before the verdict comes into force. This should be kept in mind and considered when preparing publications before the trial and during coverage. The reporter should avoid using express language such as “stole”, “killed”, “took a bribe”, etc.

### **What a court reporter should know before the court session?**

The reporter must [have](#) at least some knowledge of the case or its participants. If it is a high-profile case, you can always find some information about the story online, for example, from official reports of police press services.

It is also useful to browse through social media to get an insight about the personalities of the accused or victims.

Another moment for journalists who don't have experience of working in the courtroom. The trial is actually a well-organised event. Therefore, it is useful to know how the court starts and how it ends. This kind of information is given in detail:

- In the Criminal Procedure Code – about criminal cases,
- In the Code of Execution Procedure for administrative offences – about administrative cases,
- In the Civil Procedure Code – about civil cases.

### **May a journalist speak to the relatives of the accused, the victims, lawyers, and use their information in publications?**

If people want to contact, the journalist has [no](#) restrictions in contacting them. However, you should keep in mind that all information provided by them is their subjective position, their point of view. It cannot be ruled out that they are interested to win the case and will try to ‘use’ the reporter, so to speak. In the meantime, such contact can be useful to the reporter as extra information can shed light on the personalities of the persons involved.

The reporter can get information about the course of court sessions from the relatives of the accused and the victims, which the reporter could not attend, about coming appearances of interesting witnesses, about the time of the next session.

**Does it mean that after the sentence is pronounced, the story is over and the court reporter may put an end to it?**

The parties may appeal against the first judgement. In other words, the convicted maintains the status of the accused and hopes that the verdict will be cancelled or overturned before the decision comes into legal force. If the district court delivers the judgement, the next level is the city court, and so forth until the Supreme Court. Every reporter should keep track of the case until the case is over, in other words, keep the topic under review.

**May a reporter get access to the files of a criminal case?**

In theory, they may, but only after the judgement comes into force. First, the reporter should send an official request on behalf of the editorial staff to the chief justice, who can decide either way.

## **Advices to criminal reporters**

Avoid jargon. Lawyers are prone to using legal terms much, but, most probably, your readers will hardly understand them. Your job is to translate legal jargon into a plain and understandable language.

**Start the story with drama**. Many trials are long periods of relatively boring procedural questions that alternate with short moments of tense drama. The examples are the emotional outburst of the accused, or the dispute between the lawyer and the judge. Make sure you highlight such moments in your story.

**Get both sides.** Every news article should reveal both or all sides of the story. This is very important in the court story. When the accused is charged with a grave crime, your task is to include the arguments provided by both sides into your article.

Keep in mind that the accused is not guilty until proven guilty.

**Mind the background.** Your story should include the backstory of the case – who is the accused, what is he/she charged with, where and when was the alleged crime committed, etc. Even the highly publicised trial does not mean that your readers know the background.

Title photo: canal3.md

---

*This publication was produced as part of the mentorship programme under the Development of New Media and Digital Journalism in Central Asia project delivered by the Institute for War and Peace Reporting (IWPR) with support from the UK Government. It does not necessarily reflect the official views of IWPR or the UK Government*