

# Behind closed doors

How journalists can better  
shine a light on criminal  
justice for a more informed  
public

By Jamie Morrell and Jason Grant



Criminal  
Justice  
Alliance

# About the Criminal Justice Alliance

The Criminal Justice Alliance (CJA) is a network of 170 organisations working towards a fair and effective criminal justice system. Our members include charities, think tanks, research institutions and staff associations.

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[criminaljusticealliance.org](http://criminaljusticealliance.org)

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# Introduction

The news media hold a powerful sway in society. Journalists can educate, inform, hold powerful institutions to account and change society for the better. But they can also have a harmful impact, creating or further solidifying myths and misperceptions in the public. As a charity working towards a fair and effective criminal justice system for over ten years, we have seen journalism that improves public understanding of criminal justice and journalism that denigrates it; journalism that stirs compassion in readers and inspires healthy debate about how we can reduce crime as a society, and journalism which stifles this debate, presenting a narrow view of crime and criminal justice, provoking feelings of fatalism, fuelling the belief that nothing can ever change.

Every year the CJA holds its Media Awards, which celebrate journalism, digital media and documentaries that have contributed to a better understanding of criminal justice in society. In 2019, we worked with an expert panel of journalists and criminal justice experts to create some criteria on what good criminal justice reporting looks like. In this report, we take a deeper look at what can be done for a more sensitive, nuanced and constructive reporting on criminal justice, with insights from journalists, charities and academics.

## What's included in this report

We hear about some of the challenges that journalists face when reporting on criminal justice, and some of the difficulties encountered by charities when dealing with the media. Throughout the report, we offer some suggestions on how reporting on criminal justice could be improved as well as highlighting examples of good practice. We want to work with journalists to further explore these issues and welcome conversations with news organisations.

We focus predominantly on how journalists cover the societal issues of crime and criminal justice, rather than how they report on individual court cases.

## Next steps

This report scopes some of the key issues as journalists and the criminal justice voluntary sector see them. Following this report, we plan to work with journalists and journalism bodies to create some practical guidance. We are producing this report and the following guidance with the aim of helping journalists cover criminal justice more sensitively and constructively, without infringing on their independence or preventing them from publishing stories which are newsworthy, engaging and in the public interest. We hope our guidance will help journalists adhere to some of the core principles of journalism, such as publishing fair and accurate information, informing the public and holding power to account.<sup>1</sup>

**This report is authored by Jamie Morrell, Communications and Engagement Officer at the CJA, and Jason Grant, a lived experience consultant and one of our paid Longford Trust interns. It was published in November 2021.**

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**Throughout the report, we offer some suggestions on how reporting on criminal justice could be improved as well as highlighting examples of good practice.**

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<sup>1</sup> American Press Institute. (2013) *The elements of journalism*; The National Union of Journalists. (2011) *Code of conduct*.

# Why is sensitive and constructive reporting on criminal justice important?

The criminal justice system operates largely behind closed doors. Many will never set foot in a police station, a courtroom or a prison. The media can play a vital role in shining a light on these unseen spaces, improving public understanding and showing what is and isn't working in efforts to reduce crime. Yet public understanding of crime and criminal justice remains low. Research has shown that the public misunderstands both the nature of crime and how the criminal justice system operates in England and Wales. And there is low public awareness of powerful alternatives to traditional criminal justice processes, such as restorative justice, which can both improve victim satisfaction and reduce reoffending.<sup>2</sup>

Ministry of Justice research has found that 'significant proportions of the public hold an inaccurate view of national crime trends and most people underestimated the severity of current sentencing practices.' This is important given that, as the research states, people who perceive that crime is rising in the UK are more likely to call for punitive sentences to be imposed.<sup>3</sup> But rather than reducing crime and making the public safer, tougher sentences increase overcrowding, violence and self-harm in prisons, damaging the opportunity for rehabilitation.

The Sentencing Council conducted similar research and found that around 70 percent of the public think sentencing is too lenient, but this perception lessens noticeably when individuals are presented with actual scenarios and sentences.<sup>4</sup> It also found that the majority of respondents were confident they understood terms like 'life sentence' and 'statutory maximum sentence', but qualitative discussions showed actual understanding lagged behind perceived understanding.

The criminal justice system is complicated, with its technical processes and legal language. What's more, government data on performance and operation of the system is often impenetrable to members of the public, hidden away on departmental websites in dense Excel sheets requiring specialist skills to decipher. It should be noted that there are organisations filling this gap; for example, the Prison Reform Trust's Bromley Briefings provide clear, easy-to-understand statistics on sentencing and prisons. Such briefings can keep the public informed and save journalists time when hunting for powerful stats for criminal justice stories.

Despite the lack of public understanding, crime is becoming an increasingly important issue to voters. Before the last general election in the UK, YouGov conducted research on what issues the public considered the most important.<sup>5</sup> In May 2017, just 11 percent considered crime one of the most important issues facing Britain, but by October 2019, this had increased to 28 percent.

Public attitudes on crime and criminal justice have an impact on the manifestos of political parties, the politicians that are elected, and the policy changes they enact. It is within this context that the media have an important responsibility to ensure the public have accurate information on the nature of crime and justice.

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**Research has shown that the public misunderstands both the nature of crime and how the criminal justice system operates in England and Wales.**

2 All-Party Parliamentary Group on Restorative Justice. (2021) *Inquiry into Restorative Practices in 2021/2022*.

3 Ministry of Justice. (2013) *Attitudes to Sentencing and Trust in Justice*.

4 The Sentencing Council. (2019) *Public confidence in sentencing and the criminal justice system*.

5 YouGov. (2019) *Which issue will decide the general election?*

## The articles people best remember are the ones with sensationalist vocabulary and narratives. This suggests that the public may not be getting an accurate picture of the true nature of crime.

The Sentencing Council research illustrated the powerful role that the media plays in understanding and perceptions of criminal justice. The Sentencing Council analysed media coverage of crime and found that coverage of specific offences tended to focus on emotive or extreme cases. The Sentencing Council also found that the articles people best remember are the ones with sensationalist vocabulary and narratives. This suggests that the public may not be getting an accurate picture of the true nature of crime.

Charities in other sectors are doing important work to improve reporting on social issues such as poverty and mental ill health. Mind's research has shown that people believe journalists have more influence on public attitudes to mental health than politicians do.<sup>6</sup> Mind also found that news coverage, dramas, soap storylines and celebrity interviews which explore mental health sensitively can provide a vital lifeline, helping people feel less alone and encouraging them to reach out for support.

In 2007, Mind and Rethink Mental Illness launched the Time to Change campaign, aimed at reducing stigma around mental illness. The campaign involved 'working with the media to improve reporting on mental health problems and challenge stigmatising coverage.'<sup>7</sup> Kings College London conducted research on the campaign and found that the number of anti-stigmatising articles had increased significantly from 2008 to 2019, and there was also an increase in the number of stories on recovery from mental illness.<sup>8</sup> Mind has also launched a media advisory service which 'helps producers, researchers and writers at soaps and dramas to create accurate, sensitive storylines about mental health.'<sup>9</sup>

**Suggestion: A criminal justice media advisory service should be established to provide advice and guidance to journalists as well as television and film producers and writers on portraying criminal justice issues accurately and humanely.**

Similarly, the Joseph Rowntree Foundation conducted research into how the media reports on poverty, finding that the causes and consequences of poverty are rarely explored in media coverage, and that the media 'influence public opinions about poverty not through indoctrination or propaganda, but by marginalising accounts which challenge existing images and beliefs.'<sup>10</sup> The Foundation recently launched a practical guide for journalists, advising that the best media coverage of poverty balances individuals' stories with a focus on statistics and the wider systems at play.<sup>11</sup>

These campaigns have started important conversations on public discourse around mental health and poverty, but there has been less focus on how the media reports on criminal justice.

**28%  
of the public  
consider  
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important  
issues facing**

6 Mind. (2018) [Surge in people feeling "less alone" following year of unprecedented media coverage on mental health.](#)

7 Time to Change. (2021) [What we did.](#)

8 Hildersley, R., Potts, L., Anderson, C. and Henderson, C. (2020) Improvement for most, but not all: changes in newspaper coverage of mental illness from 2008 to 2019 in England, *Epidemiology and Psychiatric Sciences*. Cambridge University Press.

9 Mind. (2020) [Media Advisory Service.](#)

10 McKendrick, JH, Sinclair, S, Irwin, A, O'Donnell, H, Scott, G & Dobbie, L. (2008) [The media, poverty and public opinion in the UK.](#)

11 The Joseph Rowntree Foundation. (2020). [Reporting poverty: a guide for media professionals.](#)

# What does good criminal justice reporting look like?

Each year, the CJA celebrates sensitive and constructive journalism with its Media Awards. We bring together a panel of journalists, editors and representatives from the criminal justice sector to judge entries. Previous judges have included Chris Frost, former newspaper editor and Chair of the National Union of Journalists' Ethics Council; Danny Shaw, who reported on crime for the BBC

for over 30 years; and Anushka Asthana, formerly editor-at-large of the Guardian and now deputy political editor at ITV News.

In 2019, we gathered a group of experts, including current and former journalists and criminal justice sector leaders, to determine what good criminal justice reporting looks like. The group set out the following criteria:



So what does this look like in practice? Below, we've showcased some of the winners of our Media Awards from the recent years.

## SYMEON BROWN, CHANNEL 4 NEWS



Symeon Brown's reporting has focused on racial inequality in the criminal justice system, highlighting the real-life experiences of the people behind the statistics. For example, Symeon interviewed a Black teenager who was treated as a suspect and stopped and searched when he sought the help of police after being racially assaulted.<sup>12</sup> This report inspired people to take positive action; the teenager received letters of support from concerned viewers and an investigation was launched into his treatment. Symeon's reporting also challenges perceptions and uses accessible language for a mainstream audience. Symeon investigated the overrepresentation of Black and minority ethnic children in the youth justice system, boiling down a complex Youth Justice Board report to its most important findings.<sup>13</sup> In this piece, Symeon challenged what we consider a drug dealer to look like by featuring a suited, middle-class White man, who believed he was given a shorter sentence because of his ethnicity.

## RIA CHATTERJEE, ITV NEWS LONDON

Ria Chatterjee was spending a week on an estate in London following multiple stabbings when she realised that journalists have a responsibility to report on the complex underlying causes of youth violence, rather than just the facts of the incident. She has spent extensive time in the community, building relationships and amplifying the views of groups often misrepresented by the media and ignored in the debate on violent crime. In one piece, Ria spoke to girls and young women left traumatised after having to stitch up their boyfriend's wounds.<sup>14</sup> In another piece, Ria heard from three young people how the pandemic could lead to an increase in youth violence due to fewer jobs and increases in homelessness and school exclusions.<sup>15</sup> Ria has highlighted the views and experiences of mothers that have lost children to violent crime<sup>16</sup>, and has challenged powerful institutions such as the Metropolitan Police and the Mayor of London to question and consider their approach to youth violence.



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- 12 Brown, S. (2020) *Teenage victim of 'racist attack' at London BLM protest says police treated him as suspect*. Channel 4 News.
- 13 Brown, S. (2020) *Inside the youth justice system: Why people from BAME backgrounds are over-represented*. Channel 4 News.
- 14 Chatterjee, R. (2019) *Special report on teenage girls supporting their male friends caught up in violence*. ITV News London.
- 15 Chatterjee, R. (2020) *Impact of lockdown restrictions on young people vulnerable to violence*. ITV News London.
- 16 Chatterjee, R. (2020) *East London art installation highlights the effects of knife crime*. ITV News London.



## THE PUNCH, BBC RADIO 4

The Punch, a five-part radio documentary produced by Just Radio, explores forgiveness and the impact of restorative justice. In 2011, teenager Jacob Dunne killed trainee paramedic James Hodgkinson with a single punch and was convicted of manslaughter. James' parents had many unanswered questions and invited Jacob to participate in restorative justice after his release. The story was told first-hand, using an open and honest conversation between Jacob and James' parents as the narrative backbone. This gave the series tremendous emotional power, and experts provided further detail on the process of restorative justice. The documentary challenged public perceptions about people with convictions by focusing on Jacob's role as a father, his struggle to find employment despite his first-class degree, and his work towards becoming a probation officer. The Punch had a powerful and far-reaching impact, with many positive reviews in national newspapers and magazines and school teachers using the series in assemblies.



## ADELE ROBINSON, SKY NEWS

Adele Robinson's documentary Inside the Circle focused on Circles of Support and Accountability; groups of volunteers that support people who have caused sexual harm, helping them reintegrate into the community to prevent reoffending.<sup>17</sup> The documentary challenged many of the stereotypical attitudes towards people who have caused sexual harm and highlighted the marginalisation and stigmatisation they often face. The team took extreme care to prevent distress to survivors and to protect the individuals being supported by a Circle from threats of harm. Planning the documentary took over a year, with the Sky News team working with Circles UK and Circles providers to ensure it was well-designed, fully-researched and executed to a high standard. Support was provided to everyone involved, both during and after the filming process. Those involved reported that they found the experience positive and that Adele was considerate, sensitive and made them feel safe. The documentary powerfully questioned the belief that people who have caused sexual harm can never be rehabilitated.



## DAVID COHEN, LONDON EVENING STANDARD

David Cohen, Investigations and Campaigns Editor at the London Evening Standard, has reported extensively on violence in London. Rather than focusing solely on the crimes, David has explored the root causes of violence, such as school exclusions and adverse childhood experiences. His work often challenges perceptions; for example, by exposing how young people involved in violent crime often suffer from trauma due to violence they experienced as children. David paints one particularly powerful image when he describes how a young man arrested on multiple occasions for carrying a knife still sucks his thumb for comfort.<sup>18</sup> David's reporting features hidden voices — he recently spoke to Black families in Brixton about their experiences of policing.<sup>19</sup> Most importantly, David's work is impactful, inspiring positive action in readers. His campaigns have raised millions of pounds which have been diverted back into the causes he has investigated, such as funding charities working with those affected by knife crime and initiatives to help tackle school exclusions.

17 Robinson, A. (2019) *Special Report: Inside the 'Circle'*. Sky News.

18 Cohen, D. (2018) *Violent London: Special Evening Standard investigation into bloodshed on the capital's streets*. London Evening Standard.

19 Cohen, D. (2020) *In black and white: The stark racial divide in how Londoners view policing in the capital*. London Evening Standard.

# What is preventing good criminal justice reporting?

Sensitive and constructive reporting of criminal justice can improve public understanding, challenge misperceptions and inspire people to take positive action. But what are some of the harmful practices of journalists, and what impact do they have?

To answer these questions, we held a series of interviews with criminal justice experts and academics. We also launched a small-scale survey, asking charities what they thought about how criminal justice is reported, what challenges they've faced when dealing with journalists, and what advice they'd give to journalists for more sensitive and constructive reporting.

## NEGATIVITY BIAS

Respondents told us that journalists too often focus on the problem of crime rather than solutions, which impacts public perception of crime and subsequently the government agenda.

'You see crime and violence in the media repeatedly, and it becomes normalised, and you begin to think it's more common than it is. This is availability theory — the more often you see something, the more common you perceive it to be.'

**Jodie Jackson, Author of You Are What You Read**

'We hear about people that have been released early who go on to commit horrendous crimes, but we don't hear about those who have reformed and gone on to succeed. We only receive the negative side of the story, and this affects public perception and the government agenda.'

**Professor Denise Baden**

The latest data indicates that people are increasingly avoiding the news. A report by Reuters found that 35 percent of Britons actively avoid the news, an 11 percent rise on the year before.<sup>20</sup> The main reason people gave for avoiding the news was that it has a negative effect on their mood (58%). This tendency for reporters to focus on the negatives can lead to feelings of apathy and fatalism. Research by Baden, McIntyre and Homberg found that 'catastrophically framed' stories reduce intentions in readers to take positive action to address issues.<sup>21</sup> Notably, respondents in this research still viewed 'solution-framed' stories as legitimate journalism. There is also a business case for solutions-focused journalism, with respondents stating a preference for solutions-focused stories, countering the famous journalistic maxim that 'if it bleeds, it leads.'

In solutions-focused journalism, sometimes called constructive journalism, reporters focus on rigorously investigating and reporting on the solutions to key problems within our society, rather than merely focusing on the problem. The Guardian<sup>22</sup>, the BBC<sup>23</sup> and the New York Times<sup>24</sup> have all launched constructive journalism projects in recent years.

**35% of Britons actively avoid the news, mainly due to the negative effect it has on their mood.**

20 Reuters Institute. (2019) *Digital News Report 2019*.

21 Baden, D., Homberg, F. and McIntyre, K. (2019) *The Impact of Constructive News on Affective and Behavioural Responses*. Journalism Studies.

22 See The Guardian's The Upside, available at: <https://www.theguardian.com/world/series/the-upside>.

23 BBC. (2016) *Why we need Solutions-Focused Journalism*.

24 See The New York Times' Fixes column, available at: <https://www.nytimes.com/column/fixes>.

## Charities themselves have a responsibility to communicate about criminal justice in an effective and constructive way.

**Suggestion:** Journalists should endeavour to focus on investigating solutions rather than just the problem. News organisations should consider launching solutions-focused initiatives, similar to the Guardian's *Upside* or the New York Times' Fixes section, investigating the effectiveness of different solutions to crime and reoffending.

**Good practice:** Danny Shaw investigated failing rehabilitative programmes in prisons for Radio 4. As part of this, he highlighted the work of the Corbett Centre, which is showing promising early signs in supporting people who have committed sexual offences to not reoffend.<sup>25</sup>

**Catastrophically framed stories reduce intentions to take positive action to address issues.**

However, there was also recognition that charities themselves have a responsibility to communicate about criminal justice in an effective and constructive way.

'We perceive crime in this country to be a matter of individual failing — bad choices are made or bad parenting is at fault — and not due to systemic problems. And fatalism about crime and criminal justice failures is rife, with people believing 'it will always be this way' and that 'there will always be bad apples'. Good communications can circumnavigate these deeply-held, often unconscious biases.'

Nathalie McDermott, Founder and Chief Executive of OnRoad Media.

**Suggestion:** Charities should be mindful of their own communications to ensure they highlight what is working within criminal justice as well as what isn't. They should consider how they frame issues to trigger positive attitudes in their audiences, such as that crime has societal causes and the importance of rehabilitation.<sup>26</sup>

## FAILING TO PROVIDE CONTEXT AND COVER KEY ISSUES

The experts we spoke to said that journalists often don't have time to properly explore criminal justice issues in depth, focusing more on the symptoms than root causes. This sentiment is supported by research from Reuters, with respondents feeling that the news media do a better job of breaking news than explaining it.<sup>27</sup>

'The media moves at a fast pace, and journalists often don't have the time to report on the underlying causes of social issues. They focus more on the symptoms, the breaking news that bubbles at the surface.'

Jodie Jackson

<sup>25</sup> File on 4. (2019) *Can sex offenders and violent criminals be rehabilitated in prison?* BBC Radio 4.

<sup>26</sup> Charities can find out more about reframing here: <https://www.transformjustice.org.uk/reframing/>

<sup>27</sup> Reuters Institute. (2019) *Digital News Report 2019*.

'Journalists shouldn't report government policy without analysis. Journalists should tell individual stories but always connect with systemic context.'

A charity supporting women with convictions.

**Suggestion:** We recognise that journalists are increasingly using case studies in their reporting, but we recommend they position individuals' stories within the wider systems which have helped or hindered them on their journey.

Respondents also felt that reporting doesn't focus enough on the root causes that lead people to commit crimes. However, it was noted that the causes of crime are complex and deep-seated, which can make them difficult to properly explore in one article.

'There isn't enough coverage of why people offend and how they end up in prison. There isn't enough reporting on how certain factors — such as substance misuse, mental illness or being a victim of domestic abuse — can cause someone to commit a crime. Many people's stories aren't being heard or represented, and alternative solutions to prison aren't being reported.'

Jude Habib, former journalist and Founder of sounddelivery.

'You often see click bait headlines and articles with little context, with a lack of understanding of the role that gender, trauma, race and culture can play, and what this means for an appropriate response. Context is key and that's often lacking in reporting, but I do appreciate sometimes the context and the stories behind the crime can often cover a lifetime, if not generations.'

Lady Edwina Grosvenor, Founder of One Small Thing

One freelance journalist felt that the quality of journalism focusing on criminal justice has declined due to the financial pressures on news organisations.

'There has been a downward trajectory in the quality of journalism focusing on justice. Commissioning budgets have been drying up. Sadly the issues don't go away, even if the money has.'

Jon Robins, freelance journalist and Founder of the Justice Gap.

And often, the experiences of people in prison are misrepresented.

'Well one of the reasons why I started writing in prison was because I got sick of reading that I was eating luxury five-star food and living in plush accommodation. I began my career in journalism by writing to newspapers pleading for them to tell the truth about how we were living. We suffer from the way the media reports on prison issues. My experience was so different from what the public perceived it to be.'

Erwin James, Guardian columnist and Editor of Inside Time.

**Good practice:** Shanti Das told the story of 18-year-old Annelise Sanderson, a young woman believed to have taken her own life in prison. The introduction to the article describes Annelise as a child — her love of performing in school plays and how she doted over her niece and nephew — powerfully challenging perceptions of people in prison. Shanti highlighted Annelise's mental health problems and questioned the use of imprisonment for women, referring to statistics on the abuse and mental health problems many women in prison have experienced. The article also positioned Annelise's life in the wider policy context, highlighting the government's plans to build 500 more prison places.<sup>28</sup>

**Sensationalist headlines are concerning because the public is increasingly consuming news by scanning dozens of headlines on social media, rarely clicking on links.**

<sup>28</sup> Das, S. (2021) *A teen's death in a jail cell: why was she there at all?* The Sunday Times.

## SENSATIONALIST HEADLINES AND POOR IMAGERY

Respondents also discussed how sensationalist headlines negatively impact public understanding and debate. Publications compete for clicks, and it is understandable that they would want to write punchy headlines which draw in readers. But sensationalist headlines are most concerning because, as evidence suggests, members of the public are increasingly consuming news by scanning dozens of headlines on social media, rarely clicking on links and reading articles to the end.<sup>29</sup> Any nuanced reporting within the article itself will be missed, resulting in a misinformed public.

Poor use of imagery is also harmful. Publications often use images of large knives when reporting on knife crime. One senior police officer has warned this traumatises young people and makes them more likely to carry weapons.<sup>30</sup> Indeed, the London Violence Reduction Unit lists one of its core objectives as ‘to discourage the imagery of knives and other shocking newspaper and social media headlines that spread fear rather than understanding about the causes of violence’.<sup>31</sup> Another image commonly used when discussing crime or violence is an individual turned away from the camera with their hood up. We were told us this can cause readers and viewers to ‘other’ people involved in crime.

**Suggestion:** News organisations should ensure headlines reflect the nuance of articles as much as possible, and they should aim to use imagery of real people rather than images which evoke fear or lead the reader to ‘other’ certain groups.

## USE OF STIGMATISING LANGUAGE

The language we use to describe people with a conviction can have a far-reaching impact, disrupting them in their journey away from crime. Academics suggest using language which highlights an individual’s potential, rather than using a criminal label which cements a criminal identity.<sup>32</sup> Her Majesty’s Prison and Probation Service also warns against ‘using language and labels that confirm a criminal identity’ in official guidance, saying that ‘having a criminal record carries a huge stigma and limits opportunities for success and reinforcing this stigma isn’t helpful.’<sup>33</sup> Respondents to our survey said:

‘Journalists should be mindful of language which labels people as ‘criminals’ or ‘offenders’, or ‘inmates’. Criminal justice is already an emotionally charged topic which activates people’s deeply-held beliefs around punishment and safety. Careless phrasing could really undermine a lot of progressive campaigning through reinforcing punitive reactions in the public and demonising people.’

*A charity supporting women in the criminal justice system.*

‘Stop using buzzwords like ‘gang member’ to describe someone. Maybe ask the person how they wish to be addressed first.’

*A charity leader with lived experience of the criminal justice system.*

It is important to note that, as one journalist we interviewed pointed out, politicians often use stigmatising language in public addresses and press releases, which can filter through to the media.

**Her Majesty’s  
Prison and  
Probation  
Service warns  
against ‘using  
language  
and labels  
that confirm  
a criminal  
identity’  
in official  
guidance.**

29 Ofcom. (2019) *Ofcom’s annual report on the BBC*.

30 Rodger, J. (2019) *Pictures of knives online ‘are making traumatised teenagers carry them’*.

31 London Violence Reduction Unit Strategy. (2019) *London Violence Reduction Unit Strategy*.

32 McNeill, F., Farrall, S., Lightowler, C., and Maruna, S. (2012) *How and why people stop offending: discovering desistance*. Institute for Research and Innovation in Social Services.

33 Magistrates Association. (2019) *HMPPS publishes evidence-based summary on desistance*.

**Suggestion:** Journalists should reflect on their use of language and news organisations should consider updating their style guides for staff. Journalists should only mention an individual's offence when relevant and always openly discuss this with the individual first. Policy makers should also ensure they use language which reflects their commitments to rehabilitation and giving people a second chance.

**Good practice:** In 2019, Channel 5 covered a report by the Joint Human Rights Committee on the impact of parental imprisonment on children, who are often forgotten in the debate on criminal justice. Presenter Claudia-Liza Armah sensitively interviewed a mother on how her imprisonment had affected her children, avoiding clichés, jargon, negative terminology and sensationalism.<sup>34</sup>

## HISTORIC COVERAGE OF CONVICTIONS

One charity highlighted that historic media coverage of convictions can cause problems for individuals as they try to move on with their lives.

'We regularly hear from people on our helpline who have spent convictions – which they don't have to disclose to apply for most jobs – and have lost out on jobs or opportunities because of the 'Google effect'. Sometimes it only takes one Google search for someone to lose their livelihood due to stigma, prejudice and discrimination – whether due to employers finding out about a spent conviction, or reporting that is sensationalised, speculation or plain wrong.'

*Angela Cairns, CEO, Unlock.*

## TREATMENT OF PEOPLE WITH LIVED EXPERIENCE

Many people with lived experience of the criminal justice system – including people who have committed crimes, victims, and their families – want to share their story, and journalists are often keen to interview such individuals. However, they regularly have negative experiences when dealing with the media.

'I shared my story with a journalist, who then misconstrued the interview and wrote a piece saying that I was known for being violent, that I was shifting from left to right as we were speaking, that they were scared I was going to attack them, that I looked like the kind of guy who could hurt them. We need to draw back this sensationalism. We shouldn't be used to sensationalise a story.'

*A charity leader with lived experience.*

'It's important that journalists understand beneficiaries might not be ready to speak out about their experiences while going through a crisis. Instead, they could speak to someone who experienced issues in the past, who might be more ready to reflect back.'

*A charity supporting women in the criminal justice system.*

One restorative justice charity highlighted how it prepares individuals with lived experience, which includes victims of crime, to work with the media.

'Ambassadors have been able to access training on giving interviews, narrative and storytelling, all delivered by M&C Saatchi. We have also run sessions with them about Why me?'s key messages and our experience in how to frame them. It is important to treat each spokesperson as a distinct individual, to ask what they want to get out of the piece, and to help them get their chosen message across.'

*Ben Andrew, Why me?*

**'I was on Sky News and was given the opportunity to discuss what I think would work rather than discussing my past. This solutions-focused interview was refreshing and welcome.'**

<sup>34</sup> Channel 5 News. (2019) *Women in Prison England and Wales*.

## **Suggestion: Charities should provide media training to people with lived experience if they are going to be interviewed by journalists.**

One individual with lived experience told us that after being featured in an article, members of the public posted racist and derogatory remarks about him in the comment section. News organisations take different approaches to comment sections, with some not allowing comments at all, some moderating comments before they are published, and others only moderating comments when they are reported by another reader.<sup>35</sup> Unfortunately, in the case of the latter, the damage is often already done.

## **Suggestion: We recognise that news organisations have comment sections to encourage participation and debate. However, we recommend that publications disable comment sections in articles featuring people with lived experience of the criminal justice system to protect their wellbeing.**

One charity leader with lived experience noted that at the start of his journey, mentors didn't adequately prepare him for interactions with the media. He explained how he prepares the young people he works with:

'When you tell a young person that a journalist wants to speak to them, they want to do it straight away, because it's exciting. But I'll explain to them first that this coverage could still be available in ten years' time. I wish someone had explained this to me, because my son can Google my name and articles come up, and I have questions to answer. Leaders sometimes need to bite the bullet and consider whether coverage is beneficial for young people, even though it might be beneficial for the organisation's reputation and funding.'

He said that if a young person does decide to go ahead with an interview, the adult supporting them should put an agreement in place with the journalist on what questions can be asked and what issues can be discussed, which the journalist must stick to. He also said that young people should have a chance to review content before it is published:

'You share personal stuff in the intimate conversation with that one journalist. Then it goes through a process, it's churned out into a story and the public domain. The next thing you see is how someone has interpreted your life in the newspaper or on television. There should be a screening process, where the young person can review how they have been represented.'

He added that there should be appropriate aftercare for the individual following the interview and publication.

## **Suggestion: We understand journalists' concerns that allowing subjects to review stories before publication may lead to bias, but they should consider doing so when they have written or filmed profile pieces on individuals with lived experience of the criminal justice system, who can be more severely impacted by misrepresentation.**

**When facilitating an interview between a service user and a journalist, charities should have a written agreement in place with the journalist, which can be informal and via email, to avoid any subjects the service user does not want to discuss.**

**People with lived experience often bring fresh thinking to key challenges within criminal justice. This should be recognised and utilised by journalists.**

There are many people with personal experience of the criminal justice system who go on to work in the criminal justice sector, supporting others and campaigning for change. The CJA's Change from Within report highlighted that people with lived experience often bring fresh thinking to key challenges within criminal justice.<sup>36</sup> This should be recognised and utilised by journalists.

'I was on Sky News and was given the opportunity to discuss what I think would work rather than discussing my past. This solutions-focused interview was refreshing and welcome.'

[A charity leader with lived experience.](#)

'The journalist highlighted the issue while taking a very person-centred approach, showing the aspirations and assets of a person with lived experience. And the photographer had amazing person skills. Our service user got two of her photos framed from what she calls her 'photoshoot' and gave one as a Christmas present to her partner.'

[A charity that works to reduce reoffending.](#)

**Suggestion:** Journalists should ask people with lived experience for their views on what could improve the criminal justice system and highlight their skills, aspirations and potential, rather than simply focusing on their past.

**Good practice:** In a *Guardian* piece on the rising levels of homelessness on release from prison, Emily Goddard interviewed two women who had experienced homelessness after serving short sentences. Emily sought the women's views on how people leaving prison can be better supported and highlighted how they have turned their lives around.<sup>37</sup>

## THE RISE OF DIGITAL MEDIA

But it isn't just national news media that can educate the public and challenge perceptions. There are a number of bloggers, filmmakers, podcasters and small independent magazines exploring the state of the criminal justice system and how we can reduce crime.

'It does allow for more diverse voices to be heard or read, such as police and prison officers, victims, perpetrators, people who have served time and reformed, and family members of prisoners. Often the people who don't end up in the traditional media or who may not be confident enough to speak on the radio.'

[Lady Edwina Grosvenor](#)

'Tortoise and Byline are doing some great work by focusing on the people within the stories. Alternative platforms enable people to have a voice, especially those with lived experience.'

[Philippa Budgen, media consultant and former journalist](#)

**Good practice:** Prison Bag is a blog and podcast series from Josie Bevan, detailing the experiences of her family when husband and father Rob was sent to prison. It explores the experiences of families with emotion and humour. Another example of good practice is the Bird podcast, which provides a platform for people in prison to discuss their lived reality and challenge misperceptions.

<sup>36</sup> Criminal Justice Alliance. (2019) *Change from Within*.

<sup>37</sup> Goddard, E. (2018) *The scandal of ex-prisoners released into a new life - on the streets*. The Guardian.

# What do journalists think?

In producing this report, we were mindful that journalists face a range of challenges and pressures which may limit their ability to report on criminal justice in a sensitive, nuanced and constructive way. We were also keen to gather any good practice or useful tips they might have for their fellow journalists. So we spoke to several newspaper and broadcast journalists to hear about their experiences.

## PUBLIC PERCEPTION

A broadcast journalist said that one of the greatest difficulties is challenging preconceived ideas in audiences and described how stories which attempt to offer depth and balance on complex issues can often be met by unsympathetic views from the public.

'There seems to be a knee-jerk sense that anyone associated with the criminal justice system is undeserving of support, empathy or understanding. This potentially shows that the system is a construct as well as a body of state agencies. I feel that journalists have a responsibility to scrutinise the former as well as the latter.'

Ria Chatterjee, reporter at ITV News London

Ria gave two examples:

'I did a report on children who haven't been able to see a parent in prison due to lockdown. Some of the people whom I interviewed for this report expressed concerns over children being unfairly demonised and penalised - by the public or state institutions - for a parent's actions. Another example, often lamented by youth workers, is the lack of wider understanding regarding the root causes of serious youth violence. When I report on so-called 'knife crime' stories the feedback on social media can feel unsympathetic and reactionary, even if the reporting attempts to offer depth, balance and a humanising core.'

## ACCESSING PRISONS, POLICING, AND PEOPLE WITH LIVED EXPERIENCE

One common challenge was building trust with people who work in prisons and policing, as well as people with lived experience.

'It's very hard to get into prisons, and to build trust with people who work in prisons, because prisons are so often depicted negatively in the media. It's incredibly important to speak to people with lived experience, but it can be difficult finding someone to interview. You have to try find the perspectives of people you don't often hear, and you have to get the view of victims.'

Anushka Asthana, Deputy Political Editor at ITV News

**'If you've written a well-researched, sensitive and powerful piece and the headline or imagery is wrong, the good work is undone.'**

'Building enough trust with people in the local community to use their real name and photo in a story can be challenging. If I hadn't been able to use a photograph of some of the young men I've met, I would've had to use a photograph of them from the side or the back, wearing a hoody, which perpetuates the image of the 'other.' It can also be challenging finding someone who exemplifies the problem, and so you have to spend a lot of time with young people on the ground.'

David Cohen, Investigation and Campaigns Editor, London Evening Standard

'Getting contacts in policing and prisons can be difficult, because working in those environments is sensitive, involves working on ongoing investigations and crimes, and requires security. It takes a long time to build trust with people in policing and prisons. I suspect that at times it's more difficult to build trust reporting on policing and criminal justice than it is as an education or health journalist, for example.'

Danny Shaw, former BBC journalist

## REPORTING ON SOLUTIONS TO CRIME

The journalists discussed the need to focus on solutions as well as the problem.

'You have to ensure your reporting of criminal justice isn't all negative and that you don't fall into the same stereotyping and unconscious biases that society has about criminal justice. However, if charities want journalists to report on the solutions, they have to make sure it's newsworthy. Service providers can sometimes talk about criminal justice in a really jargon-y way. Charities need to think about how they would tell their story in the pub.'

Anushka Asthana

**Suggestion: Effective comms can help build movements, influencing the public and forcing governments to act. Funders should recognise that effective comms can affect long-term systemic change and fund comms specialists to help charities shape impactful media campaigns.**

One former journalist highlighted the need to scrutinise proposed solutions, assessing their effectiveness and cost.

'News by nature is bleak, because we report on problems and crises and scandals. But we do want to cover the solutions, we want to write about what works. However, you have to be careful you aren't just advertising a successful project. You can write about a successful pilot scheme that has cut knife crime, but as a news journalist, you've always got to ask questions about effectiveness, cost, the motivations of participants and so on.'

Danny Shaw

This echoes what Jodie Jackson says in *You Are What You Read*, her book on solutions-focused journalism. She writes that in high-quality solutions-focused journalism:

'...solutions are not blindly praised, but are investigated critically to help us make sense of them. We can ask questions like, is it working? How is it being done? What are the limitations? Is it scalable? Can we learn anything from the solutions being implemented? If they are failing, what is the problem?'<sup>38</sup>

Jodie Jackson

**Charities should build relationships with trusted journalists to ensure sensitive and constructive reporting on criminal justice.**

<sup>38</sup> Jackson, J. (2019) *You Are What You Read*. Unbound, London.

David Cohen has led on multiple campaigns on poverty, inequality, exclusion and youth violence. One campaign on violence, Save London Lives, raised £2.1million, which was donated to 16 charities helping young people.<sup>39</sup>

'It was important for us to realise that violence isn't just a problem for the police and the government. The media also has a responsibility to consider how it portrays and tackles the issue of violence. At the Standard, we don't just look at the solution, we try through our campaigns to be part of the solution. This involved striving to understand the underlying causes of youth violence. For instance, many young people involved in knife crime were the victims of violent crime when they were younger. At age eight, we see them as a victim. At 18, as a perpetrator. We use our reporting to spend a long time with this person and look at the factors that caused this person to change. This in-depth style of reporting is much more holistic and has a much better chance at understanding the problem.'

David Cohen

A broadcast journalist said one of the greatest difficulties is challenging preconceived notions in audiences.

## IMAGERY, HEADLINES AND STIGMATISING LANGUAGE

One journalist discussed the problem of stigmatising language.

'I believe that stigmatising language can be extremely damaging to social progress. But, it's a difficult subject area for journalists. Is the word factually accurate? Well then, is there a problem in using it? Could a word or a phrase be misinterpreted by a community of people? Does a word perpetuate systems of disadvantage and oppression? Above all, we strive to be fair and accurate while also asking important editorial questions regarding the impact on peoples' wellbeing and mental health.'

Ria Chatterjee

Another discussed the importance of using suitable imagery.

'Previously, we'd sometimes used images of large knives at the Evening Standard to convey the horror of knife crime. However, for the 2018 Save London Lives campaign, we thought much more carefully about the imagery. Looking back say ten years, I would say I'd made mistakes in how I'd allowed stories to be presented on the page. I take more ownership of the whole package now – the headline, the image that's used. The job doesn't end when we submit our copy. If you've written a well-researched, sensitive and powerful piece and the headline or imagery is wrong, the good work is undone. However, this can be more difficult for junior reporters to have control over.'

David Cohen

## THE FOCUS ON EXPERIENCES

Journalists told us that there's much more focus on individual experiences now rather than simply reporting on government initiatives.

'News organisations want to build stories around the compelling experiences of individuals. Rather than reporting on a new policy in the prison system, news organisations would increasingly prefer to cover an individual who'd served ten years for armed robbery and had turned his life around and set up a charity to help others.'

Danny Shaw

However, we have heard anecdotal evidence that charities are increasingly declining requests from journalists to speak to service users due to negative experiences they've had in the past. This suggests there is a need to rebuild trust between charities and journalists.

<sup>39</sup> Cohen, D. (2019) *Standard's Save London Lives fund backs 16 youth charities reducing crime*. London Evening Standard.

One way to ensure sensitive and constructive reporting is to hire journalists who have lived experience of the criminal justice system. Interviewees may be more willing to open up to individuals with similar experiences to themselves, and people with personal experience of the system will bring fresh and unique insight to news organisations.

**Suggestion:** News organisations should review their recruitment processes to ensure there aren't any barriers to applicants with lived experience of the criminal justice system. News organisations could partner with a charity to provide a journalism training programme or paid internships for individuals with lived experience.

There are a number of charities supporting people with lived experience into careers in journalism and radio. The Prisoners' Education Trust offers a Certificate in Foundation Journalism for people in prison, accredited by the National Council for the Training of Journalists (NCTJ), and the Prison Radio Association enables people with lived experience to produce and present radio programmes. Inside Time also publishes articles and letters from people in prison. News organisations could partner with one of these charities to offer training and internships.

## INTERVIEWING PEOPLE WITH LIVED EXPERIENCE

Journalists said empathy was key when interviewing people with lived experience.

'Good journalists are empathetic, sensitive and understanding. You need to always put yourself in the interviewee's shoes. It might just be a quote for your piece, but for them, they may be bearing their soul, opening up in a way they haven't before. You've got to think about the impact of putting their name or face in a report, and you do have a responsibility to be clear about this impact.'

Danny Shaw

'I always try to engage with vulnerable interviewees with empathy. Sometimes it's about the small acts of comfort: reminding someone before the camera starts rolling that they can stop at any time and take a break, or – if they look nervous – telling them that I understand, that I get nervous in front of the camera sometimes too. I always check in with contributors or their friends or family following an interview. I feel it's important to remember that interviewees aren't just 'soundbites.' It takes a great deal of courage, strength and vulnerability to share stories of life-changing trauma and I believe it's a journalist's moral imperative to remember this always. Without the people who come forward to speak up, journalists would have no stories.'

Ria Chatterjee

It's important to remember that there are also preconceived ideas about journalists which can make interviewees anxious.

'We know journalists tend to get a bad rep. This can make people feel uncomfortable from the get-go, so I do my best to reassure people that they can share their feelings with me openly; and that I will do my best to honour their story with sensitivity.'

Ria Chatterjee

A broadcast journalist said one of the greatest difficulties is challenging preconceived notions in audiences.

**Suggestion:** Before interviewing someone with lived experience, journalists should explain the impact that being named or shown in a report can have. Aftercare is also important: journalists should check in with contributors.

A charity could produce a document setting out the possible impact of media coverage and listing organisations the individual can contact for support, which journalists could give to interviewees.

## WHAT CHARITIES CAN DO

The journalists noted charities should build relationships with trusted journalists to ensure sensitive and constructive reporting on criminal justice.

'Charities need to develop relationships with trusted journalists. Sending out a blanket press release isn't a good approach. The best approach is to identify one or two journalists to develop a relationship with. And if a charity is planning a big announcement in two weeks, but an opportunity arises for the story in two days, they need to be swift and flexible.'

[Danny Shaw](#)

'I feel that charities are often doing their best to stay afloat with limited funding and resources. So many people within the sector are working flat out to support vulnerable people and it's a vocation that often comes without recognition. Journalists, understandably, are not the priority. I think good communication between charities and journalists is key, because there is a common goal: to shine a spotlight on underreported issues.'

[Ria Chatterjee](#)

'The best way to ensure people with lived experience are treated sensitively is for charities to build relationships with individual journalists they can grow to trust. I can absolutely understand why people are wary of a journalist coming along at the last minute and saying we need to talk to someone on this subject. Charities should consider podcasts and other new media as well, because normally it's much more in depth, you've got a twenty-minute piece rather than a two-minute clip, giving you more time to delve into things at a deeper level. It's quid pro quo though — charities need to be ready with case studies, be prepared to use them, and give journalists they trust that little bit extra access.'

[Anushka Asthana](#)

**Suggestion:** Regular events could be organised for journalists and charities to network, build stronger relationships and discuss challenges and opportunities.

# Suggestions and ideas



## JOURNALISTS AND NEWS ORGANISATIONS

News organisations should consider launching solutions-focused initiatives, similar to the Guardian's Upside or the New York Times' Fixes section, investigating the effectiveness of different solutions to crime and reoffending.

News organisations should ensure headlines reflect the nuance of articles as much as possible, and they should aim to use imagery of real people rather than images which evoke fear, such as pictures of knives, or lead the reader to 'other' certain groups.

Journalists should reflect on their use of language when discussing criminal justice and news organisations should consider updating their style guides for staff.

We recognise that news organisations have comment sections to encourage participation and debate. However, we recommend that publications disable comment sections in articles featuring people with lived experience of the criminal justice system to protect their wellbeing.

News organisations should review their recruitment processes to ensure there aren't any barriers to applicants with lived experience of the criminal justice system. News organisations could partner with a charity to provide a journalism training programme or paid internship for individuals with lived experience.

Journalists should endeavour to focus on investigating solutions rather than just the problem.

We recognise that journalists are increasingly using case studies in their reporting, but we recommend they position individuals' stories within the wider systems which have helped or hindered them on their journey.

Journalists should only mention an individual's offence when relevant and always openly discuss this with the individual first.

We understand journalists' concerns that allowing subjects to review stories before publication may lead to bias, but they should consider doing so when they have written or filmed profile pieces on individuals with lived experience of the criminal justice system, who can be more severely impacted by misrepresentation.

Journalists should ask people with lived experience for their views on what could improve the criminal justice system. Journalists should highlight the skills, aspirations and potential of people with convictions, rather than simply focusing on their past.

Before interviewing someone with lived experience, journalists should explain the impact that being named or shown in a report can have. Aftercare is also important: journalists should always check in with contributors after an interview.



## CHARITIES & FUNDERS

A criminal justice media advisory service should be established to provide advice and guidance to journalists as well as television and film producers and writers on portraying criminal justice issues accurately and humanely.

Regular events could be organised for journalists and charities to network, build stronger relationships and discuss challenges and opportunities.

Charities should be mindful of their own communications to ensure they highlight what is working within criminal justice as well as what isn't. They should consider how they frame issues to trigger positive attitudes in their audiences, such as that crime has societal causes and the importance of rehabilitation.

Charities should consider the longer-term impact on people with lived experience before they are put forward for interviews, and the risks should be properly explained to them. Charities must invest in media training to ensure people with lived experience are prepared, and they should be supported by the charity before, during and after interacting with the media.

A charity could produce a document setting out the possible impact of media coverage and listing organisations the individual can contact for support, which journalists could give to interviewees.

When facilitating an interview between a person with lived experience and a journalist, charities should have a written agreement in place with the journalist, which could be informal and via email, to avoid any subjects the individual does not want to discuss.

Effective comms can help build movements, influencing the public and forcing governments to act. Funders should recognise that effective comms can create long-term systemic change and fund comms specialists to help charities shape impactful media campaigns.



## POLICY MAKERS

Policy makers should use language which reflects their commitments to rehabilitation and giving people a second chance and avoid using language which cements a criminal identity. The government and other state bodies should provide regular training to all staff on communicating about justice and implement clear accountability mechanisms.

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