

Commission for Public Complaints Against the
Royal Canadian Mounted Police



Commission des plaintes du public contre la
Gendarmerie royale du Canada

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Civilian Oversight and the Media
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I have noted on a number of occasions that the most powerful asset in the police officer's arsenal is public support. There are insufficient police resources to guarantee our collective public security absent a supportive public. A public that trusts the police and which has sufficient confidence in the police, that it is willing to alert the police when illegal activity is observed and step forward and provide testimony during the trial process. In recognition of the important role that public trust and confidence plays in the Canadian model of public safety, I have identified the restoration and maintenance of such trust and confidence in the RCMP as one of the *raison d'être* for the Commission of which I am the Chair.

During my tenure, I have become acutely aware of the central role that the news media, in all its myriad forms, plays in the shaping of the public's knowledge of policing activities and appropriateness of the police service being provided.

The media, by its sheer size, access and control of technology, is ubiquitous in western society. It is so interwoven with the fabric of Canadian society that it has its own special place in our Constitution wherein we see its role enshrined as a fundamental freedom in paragraph 2 (b) of the *Charter of Rights and Freedoms*.

There is however a marked difference between the ideal and the real. Like democracy itself which Churchill once described as "the worst form of Government except all the others that have been tried," how the media fulfills its role in society can pose a challenge for those who fall subject to its scrutiny.

Public safety issues, running the gamut of police enforcement to emergency management to national security, constitute part of the core business lines of media today. This media engagement is also an essential component of policing in a modern society. You will observe the police, via the media, disclose the fact that a crime has taken place and the accompanying solicitation for members of the public who may have information to contact the police. We have all seen the "Amber Alert" system in play whereby the whole of Canada or North America is galvanized to help find the missing child. Beyond these activities, for which I believe the police are most appreciative, the media also plays an accountability role. If it sees a less than stellar performance by the police, it will cover that event with equal vigour. We can all recall stories of sloppy police work, the less than savoury informant, allegations of excessive force and in the most egregious case – the corrupt police officer.

Media coverage of these types of events can have a significant and sometimes disproportionate impact upon the public's appreciation of policing, either to the credit or detriment of the police.

If one accepts the proposition that the media, along with the police, play an essential role in the overall architecture of public safety, what practices or behaviours inhibit a more effective interface between the police and the media?

I believe you firstly have to manage expectations. You have to accept that there will always be a dynamic tension between the needs of the media and the police. The media will want all the information and as quickly as possible. The police will want to disclose some but not all information. Police decisions will be dictated by either tactics or legal constraints i.e. an unwillingness to jeopardize a fair trial, or an unwillingness to disclose a hallmark piece of evidence that may help to identify a suspect.

Police will want to verify the accuracy of information that it will disclose. This will take time as there are multiple layers of officials between the person who knows the facts and the designated police spokesperson. More time generally means more accurate information. However a fast breaking story based upon confidential or public sources may not afford the police the luxury of time. A quick response to satisfy a media need brings with it the risk of error which will undermine the credibility and trust vested in the police.

The medium and format employed by the various media is not conducive to the accurate conveyance of information. Many of us have experienced 45 minute interviews edited down to a 20 second clip. The caveats, contextual examples and modifying words are all edited out and a sound bit is produced. It is not uncommon to have that sound bit woven into a story that includes other sound bits against which it is juxtaposed. Contrasts are then drawn between two positions which, but for the editing process, were probably not that far apart. A clear conflict engenders reader interest and may make the story more interesting – but it may be at a cost of credibility to you or other persons quoted. Further, reporters may not have complete mastery of the subject and important nuances may not be appreciated and reported.

The human drama of an event will overshadow a discussion of systemic or organizational challenges. It is both easier and more interesting to focus on alleged individual officer misconduct than to focus on the policies, procedures, guidelines and training issue that shaped or dictated the officer's conduct.

In addition to the challenge of information being excluded from coverage and the juxtaposing of seemingly contrasting versions or interpretation of events there are also two other practices that are of note.

First there is the 'piling on' phenomenon. There can be a bit of a herd mentality in human affairs and the media is not exempt from this effect. The reality is that there is a concentration of media ownership. There are key media outlets for television, radio and print (and this includes internet). Coverage by one of these key outlets is subsequently repackaged and published by subsidiary components of the media distribution chain. There is little, if any, push back, factual verification or advancement of a contrary opinion. Therefore, a story by one becomes a story by all. Worse still, any subsequent editing may create or exacerbate a factual mistake.

Lastly, the media treats itself as a research source. I have seen reports of separate events from disparate parts of Canada cobbled together and portrayed as a coherent whole to support the story time presented in the news item. For example, I don't know how many times the Government of Canada had to advise the various US media that none of the 9/11 hijackers entered the US illegally from Canada. This is the same media that covered the 9/11 Commission whose report pointed out that all 19 terrorists entered the US legally.

This follow the leader reporting coupled with the media using the media as a research source is particularly important for the RCMP, which I have previously described as a rolling stone that gathers moss. Whatever may happen on a first nation's reserve, in a small village, city, province or nationally constitutes a draw-down on the Force's overall reputation at each level of policing. This is a challenge unique to the RCMP.

Accepting the important role that the police and the media play in society and recognizing that the two are joined in a marriage without the possibility of divorce – can the two work better to more accurately inform Canadians of policing activities and to better align citizens trust and confidence levels with the state of policing in their community?

I believe they can. However I believe that the burden for any prospect for improvement lies with the police and the other components of the justice system – which includes the oversight bodies that interface with the media.

Some thoughts that you may wish to bear in mind when you develop your media engagement strategy:

- The media plays an essential information / accountability role in respect of public safety issues. Their efforts may have a positive or negative impact on your work or reputation.
- The media is in competition with the new media i.e. blogs, you tube. Accordingly, timelines for a media response has shortened dramatically.
- You may have to disclose more that you are normally comfortable in disclosing, i.e. public demand and expectation for transparency have increased. Harm from disclosure is exaggerated. Harm from silence is underappreciated.
- The media is a neutral tool. Other individual/groups/organizations know how to employ this tool. Help the media get the story right. Prepare materials in advance i.e. your key messages. Your spokesperson ought to be of sufficient seniority that it reflects the fact that you appreciate the gravity of the situation.

- Some issues will obviously play out over a number of months. Advise the media and public as to what steps you will take to provide updates.
- Be sensitive to the different types of media at play. i.e. you may be able to develop a fulsome explanation for print media whereas T.V. or radio may require that you be much more succinct.
- Use your internet but don't try to spin. It is your blog. It can be a public information tool. Following a press briefing – post your material on your internet site. It helps to correct erroneous reporting.
- A story will be covered and views will be expressed with or without your participation.
 - o Silence and 'no comment' are not an option
 - o i.e., information does not necessarily mean full disclosure of investigative detail
 - o Prepared messages, even if they are only process related, will allow you to be responsive to a media suffering under tight timelines.
- The issue that engages the media's attention is not absolutely predictable. You must develop situational awareness to recognize and respond to the non-event that becomes high profile. Monitor the media on a regular basis.

Thank you for your kind attention.