

ASSESSING THE RISK OF ISOLATION OF SUSPECTS AND ACCUSED: THE ROLE OF THE MEDIA



OVERVIEW:

The ARISA-2 project

[The ARISA-2 project \(Assessing the Risk of Isolation of Suspects and Accused: The Role of the Media\)](#) is aiming to enhance the presumption of innocence in criminal proceedings and minimise, as much as possible, the negative impact of investigations on the lives of suspects and accused.

- Report "The Presumption of Innocence and the Media Coverage of Criminal Cases"
- News and Resources



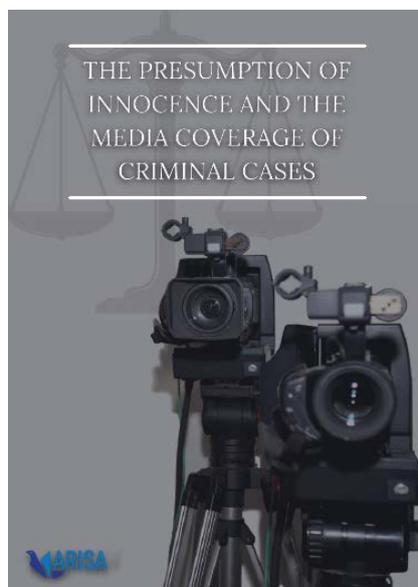
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The Presumption of Innocence and the Media Coverage of Criminal Cases

The report aims to look at the various manifestations of the presumption of innocence in the context of media coverage of criminal cases. It is a collection of papers by different authors, each highlighting a particular aspect of the topic: from the international legal framework and the case law of the European Court of Human Rights to the disclosure of information in cases of terrorism, high-profile cases, and publicity ethics.

By shedding light on different problems related to the implementation of the presumption of innocence, the report intends to draw the attention of policy makers, criminal justice practitioners and the media on the importance of safeguarding the rights of suspects and accused persons in criminal proceedings as a key prerequisite for fair trial.



The report is available as an [online publication](#) on the project website, and could be downloaded for in five different languages: [English](#), [Bulgarian](#), [Greek](#), [Italian](#) and [Spanish](#).

In the report you will find...

Case studies of **human rights** violations as a result of media coverage and disclosure of information about criminal cases.

The link between disclosure of information and the presumption of innocence in the **European and national legal systems**.

The challenge to find balance between **freedom of speech** and the right of suspects and accused to be presumed **innocent until proven guilty**.

Recommendations for regulatory and policy changes to **improve the rules** governing disclosure of information to media about ongoing criminal cases.

and more.



Where Does Press Freedom End and Trial by Media Begin?

The Supreme Court in India made an important distinction between trial by media and informative media. Where the people are informed of news and views, it is a legitimate expression that cannot be restrained. In criminal trials, however, if the media declares or builds public opinion on the guilt or innocence, it jeopardises the presumption of innocence, a right as important as free speech.

FRA report on the practical implementation of the presumption of innocence in EU Member States

The EU Fundamental Rights Agency made an opinion on the public references to guilt suggesting that the Member States need to take appropriate measures, such as the development and adoption of guidelines about the manner in which the suspect or accused is presented in the media, in order to avoid practices that increase or decrease the public perceptions of guilt.



ECtHR rules Bulgaria's Interior Minister has violated the presumption of innocence

In its decision, the Court stated: "Even if the Court may be prepared to accept that the words were uttered spontaneously, during a live television broadcast, while the Minister of the Interior was giving an example of decisions of the national courts, which he disapproved of, it reiterates once again that the Minister, as a high-ranking public official, was obliged to choose his words carefully."

