

## **Executive Summary – Malta Media Report**

The Maltese National Report gives an overview of the laws, legal guidelines and legal framework relating to the media and criminal justice. It also gives a contextual outline of the media landscape in Malta, focusing on printed media and their websites, online news portals and also television broadcasts.

The main legal provisions regulating the portrayal of suspects in the media that were identified are the following:

- *Requirements as to Standards and Practice applicable to News Bulletins and Current Affairs:* persons accused of criminal matters should not be projected as if they are already found guilty and the principle of presumption of innocence must be fully respected. Trial by the media before any court judgement is delivered must be avoided at all times and care should be taken to avoid broadcasting repetitive footage that might prejudice the accused's right to a fair trial.
- *Juvenile Court Act:* newspaper reports, or sound or television broadcasts are prohibited from revealing the name, address or school, or include any particulars that may lead to the identification, of any child or young person under the age of 16 in criminal proceedings. The publication of any picture in any newspaper or on television as being or including a picture of any child or young person in any criminal proceedings, before the Juvenile Court and also the Criminal Court, is also prohibited.
- *Code of Journalistic Ethics:* all reports of crimes and court proceedings should be strictly factual and a clear distinction should be made and explained between the facts and the expression of opinion. The naming of minors in court reporting is prohibited.

The findings of the media review of the reports and broadcasts from the selected television programmes, newspapers and online websites resulted a number of trends that may negatively influence the perception of suspects or accused persons as guilty. In this regard, a worrying trend was noted in relation to the use of images and film of the suspect on entering the Court building. Several incidences were recorded in which suspects were led by the Police through a pedestrian area and into the Court buildings through the front doors, as opposed to the back entrance. In this way reporters and journalists would publish or broadcast photographs or footage of suspects being led into Court handcuffed and escorted by a number of police officers. In one extreme example, a suspect was charged in Court the day after he was arrested, wearing a white forensic suit with his hands handcuffed behind his back. The suspect was made to walk in a busy pedestrian area, escorted by 3 police officers and enter the Court through the front doors as opposed to through the back entrance.

The research also highlighted that reporters and journalists from all media types consistently made explicit reference to the ethnicity and nationality of the alleged perpetrators. Frequently, the headlines would use nationality as the descriptor, for example "A Serb", "Two Syrians" or "Russian with Maltese citizenship", whilst no further descriptors are used for Maltese suspects, for example "double murder suspect still to be questioned".

The use of visual representation which shows police officers, handcuffs and otherwise threatening representation of the defendants is also very common to newspapers, online portals and television broadcasters. However, it was also noted that only a few examples in which explicit reference to previous convictions were mentioned, whilst no explicit reference to guilt of the defendant were found in the sampled reports.

For more information contact: [carlacamilleri@aditus.org.mt](mailto:carlacamilleri@aditus.org.mt)