[GB] Proposed ban on media payments to trial witnesses

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The all-party National Heritage Committee, chaired by Labour MP Gerald Kaufman, has recently called for laws to ban media payments to witnesses in criminal trials and to restrict pre-trial publicity. The committee, whose recommendations are made in a report, Press activity affecting court cases, also called for the Contempt of Court Act 1981 (Section 2) to be strengthened (para 36), so that individual newspapers could not escape punishment where pre-trial publicity collectively caused a trial to collapse. The report added that compensation should be ordered and fines imposed by the Press Complaints Commission, where there were breaches of its own (revised) code; and that offending journalists should be publicly named (para 18). The committee, strongly supported similar proposals from Lord Mackay of Clashfern, the Lord Chancellor, put forward in the wake of high-profile trials such as that of Rosemary West in 1995 (19 witnesses were believed to have received money and entered into media agreement). As the Lord Chancellor's paper also points out, the ban would apply across the board to broadcasters as well as the press. The prohibition of media payments should cease at "the expiration of the time limit for giving notice of appeal against a verdict, rather than at the end of a trial" (para 26). Where no payments are made, the report said it was still undesirable for witnesses to be interviewed before trial. But it agreed with the Lord Chancellor that such interviews should not be banned (para 30).

Lord Chancellor's Department: Payments to Witnesses. Consultation Paper, October 1996.

National Heritage Committee: Press Activity Affecting Court Cases. House of Commons Paper 86, 22 January 1997.

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