

● ASSISTANCE TO FOREIGN

# Journalists

IN CONNECTION WITH MAJOR EVENTS IN DENMARK

# **Assistance to foreign journalists in connection with major events in Denmark**

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In 2008 Denmark was ranked as number one in the annual world wide press freedom index issued by Reporters Without Borders.

Visiting journalists, press photographers and TV crews covering international meetings can therefore expect to be treated with openness and respect when working here. Nevertheless situations may arise where authorities may judge it necessary to apply restrictions for security reasons.

The intention of the following information is to clarify the guidelines to be followed by the media and the police if conflicts arise between the roles and tasks of the media and the roles and tasks of the police.

## **International press cards and press cards from other EU countries**

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In addition to Danish press cards and official international press cards, press cards from other EU countries will also be respected in connection with news coverage of major international events in Denmark. Please note, however, that – in addition to a press card – accreditation will also normally be required as a condition for access to meetings and special events.

All police officers will be informed of the rights of holders of press cards and the police will have a specific press officer stationed at all special situations. Furthermore, the police have telephones manned by persons who have the special task of dealing with the specific questions and episodes involving the media.

If the situation is very tense, what may happen is that some police officers will react negatively if press workers insist on their rights. In such cases, make your own observations in order to substantiate the identification of the police officer in question in the event that you may subsequently wish to complain.

### **Access to police cordons**

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The task of the media is to be present and to be able to report from the centre of events. It is therefore important that the police respect the fact that press cards (including the IFJ international press card) in Denmark grant access to police cordons.

In the event that the police deny you access, you must be able to immediately present your press card. If you are in a turbulent situation, it is a good idea to wear your press card in a visible place.

If you are asked to leave a place even after having shown your press card, you should ask for a reason but nevertheless follow the instructions of the police.

## The media must follow police instructions

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If the police do not give a reason, it will most likely not be helpful to start a discussion. If the police insist that you leave a place, you should ask for the police officer's rank, name and unit of service, so that you may complain or otherwise follow up on the episode later. You can also ask to talk to the police officer who is in charge at the location. If the police do not give you this information, you must follow the police instructions regardless of this. Afterwards you are entitled to register a complaint over the episode with the police. The Danish Union of Journalists is able to help you with this<sup>1)</sup>.

If the police officer asks you to give your name, birth date and address you may initially refer to the information on your press card, but since your birth date and address will not usually be on the card, you may be obliged to give the police this information. If you refuse to do this, it may give the police legitimate reason to detain you until you have met their demands.

You should know that the Danish Police and the media agree that the police cannot deny journalists, photographers and TV teams access to police cordons solely on the grounds that their safety is at risk. It is the overall rule that media and media employees take responsibility for their safety themselves. The press on the other hand must perform its tasks with the same professional respect for the tasks of the police as the press expects the police to have for its tasks.

1) In a recent court case a journalist was acquitted although he had not left the scene as instructed by the police. The court concluded that it had not been necessary for the police to order him away.

## **Seizures, demands for surrender, copying, etc.**

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If the police demand that film, diskettes, etc. be handed over, developed, copied or destroyed and/or that cameras or other equipment be seized, you must protest and demand to be taken along to the police station. If the police maintain their demands, you must demand that cameras, films, etc. be sealed until a judge has decided whether the seizure or other surrender is lawful.

## **Arrest and any rough treatment**

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If you refuse to comply with police instructions, you risk being arrested.

The conditions for arrest are as follows:

- 1) the police must be able to justify a charge against you
- 2) the charge must relate to a criminal offence subject to public prosecution and the arrest must be necessary to prevent further criminal conduct.

Even if these conditions are met, still no arrest may be made if the circumstances suggest that it would be a disproportionate intervention. The police have a special duty to respect and give leeway to the media's work as news communicators, even if this involves a portrayal of the police's own work. The clear starting point is that the arrest of a journalist or press photographer at work will not be deemed a necessary step.

The police's judgement cannot be tried in situ (unless a superior officer in situ does so).

The principle in Denmark is that you have the right to contact a lawyer and to contact family, friends and employers. However, this must take place with due consideration for the work of the police. Before questioning, you are entitled to contact a lawyer (and you may ask for the assistance of the Danish Union of Journalists in doing this).

If you are held in custody for more than 24 hours, you must be brought before a judge. The police may only employ the force which is strictly necessary to perform the arrest and must comply with requests for medical assistance, visits to the toilet and (within reason) food and drink.

### **The Danish Union of Journalists' special emergency hot-line for foreign journalists**

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The Danish Union of Journalists' emergency line on +45 33 42 80 10 is available for the union's own members at all times, and also for foreign press workers during major international events taking place in Denmark. If an episode occurs in connection with coverage of such an event, which causes you to have an emergency need for media-related legal assistance, please phone the emergency hot-line immediately. You will receive prompt advice and may be referred to one of the external attorneys who have agreed to be available during the summit. The consultants on the emergency hot-line and the external attorneys are experts in the field of freedom of expression and media law.

## Legal costs

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The consultation on the emergency hot-line is free. If the emergency hot-line refers you to one of the external attorneys, this service is free for members of the Danish Union of Journalists, but foreign press workers have to pay the costs of an external attorney.

## Hours and contact information for the emergency hot-line

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The emergency hot-line is open 24 hours-a-day. Between 09.00 and 16.00, the calls are forwarded to the Danish Union of Journalists, where the union's lawyers will answer your queries promptly. Before 09.00 and after 16.00, the call is transferred to a mobile phone where you can leave a message which will be answered as soon as possible by the lawyers on duty.

## Contact the Danish Union of Journalists if you have any questions on the emergency measures

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If you have any questions, you are welcome to contact the Danish Union of Journalists by phone on +45 33 42 80 00 or by e-mail at [dj@journalistforbundet.dk](mailto:dj@journalistforbundet.dk). You can find this leaflet and any other information we may be in possession of in connection with foreign press coverage of major events at [www.journalistforbundet.dk](http://www.journalistforbundet.dk).

The Danish police usually inform on large events in Denmark. Go to [www.politi.dk](http://www.politi.dk) and select the English section for useful information.

The Danish Union of Journalists is a trade union for people who are involved in journalism, media and communication.

We have 14,500 members who are employed or freelance as journalists, photographers, cartoonists, TV-producers, directors of documentaries, communicators etc.

We ensure that our members are met with respect for press freedom and their authors' rights, that they also otherwise have good working conditions and are able to develop their competencies.

We work towards the media and communication playing a decisive part in dialogue and openness in society.



**Danish Union of Journalists**  
media & communication

Gammel Strand 46  
DK-1202 Copenhagen K

Phone +45 33 42 80 00  
[dj@journalistforbundet.dk](mailto:dj@journalistforbundet.dk)  
[journalistforbundet.dk](http://journalistforbundet.dk)