

## HIGH-PROFILE CASES WORKSHOP QUESTIONS & ANSWERS

### 1. Which cases are considered as 'high-profile' cases in your court's communication?

#### Veszprém Regional Court:

For example - violent - crimes committed against life, crimes connecting to corruption etc.

#### Romanian, Superior Council of Magistracy:

Cases with a high degree of violence, corruption cases and the ones involving magistrates or public persons.

#### Pécs District Court:

In the hungarian jurisdiction those cases called „high profile cases” in which the interest of the press is continuous and intense.

2. How does your court communicate high-profile cases? (e.g. platforms, press)

#### Bulgaria:

Practice shows that criminal cases of general nature are of the highest public interest. In cases where the defendant is acquitted, it is imperative to provide information in the case. This is also the case where the parties to the case are public institutions, popular figures or legal entities, and different public strata are interested in the outcome of the litigation. Certain media / reporters monitor and reflect the development of a particular litigation or there is a strong interest on the part of the media and citizens in a particular legal case.

#### Bulgaria:

Public interest cases are in most cases criminal cases under certain texts of the law.

#### Czech Republic, Constitutional Court:

Mostly the examining of the constitutionality of legal regulation. But also some proceeding on constitutional complaints may be "high-profiled". E.g. some serious criminal cases, crimes committed by politicians, judges, consumer rights cases or cases connected in some way with politics. Of course the cases dealing with some kind of values which could divide the public meaning (e. g. marriage of homosexuals, adoptions of children by homosexuals, surrogate maternity, change of gender etc.)

#### Pécs District Court:

In the hungarian jurisdiction those cases called „high profile cases” in which the interest of the press is continuous and intense and it can be a high profile case because of the theme of the case or the personality of the defendant as well.

#### Croatia, Municipal Civil Court:

"high profile cases" at my court are those involving "celebrities" and their family matters and all sorts of media cases involving politicians and famous people

#### Albania, Supreme Court:

In the High Court, high profile cases are considered those cases where persons with a high level of social standing, as well as persons holding an important position in administration, judiciary or government, charged with predominantly criminal offenses, are considered parties to the proceedings. Those of corruption, abuse of office, or offenses for which the person is caught in the act of committing it.

Lithuania, Prosecutors' Office:

Resonance cases involve cruel, large-scale crimes as well as emotionally sensitive situations. Typically, resonant pre-trial investigations are related to violent crime, political corruption, hate crime, and extreme damage.

Croatia, Municipal Court:

The one that include politicians.

Lithuania, Telsiai Regional Court:

resonant cases, cases related to child, politicians

Armenia, Administrative Court:

There is no classification of cases as high-profile, but based on the public interest, the following cases under the Administrative court are defined as high profile (Note: this classification can not be extended over the specialized courts such as criminal, civil and bankruptcy):

- 1.1. cases on election's disputes,
- 1.2. challenging the normative (legal) acts of executive, and normative acts of the president
- 1.3. cases/disputes against tax service with high amount.
- 1.4. etc.

Bulgaria, Devin District Court:

Practice shows that criminal cases of general nature are of the highest public interest. In cases where the defendant is acquitted, it is imperative to provide information in the case. This is also the case where the parties to the case are public institutions, popular figures or legal entities, and different public strata are interested in the outcome of the litigation. Certain media / reporters monitor and reflect the development of a particular litigation or there is a strong interest on the part of the media and citizens in a particular legal case.

Macedonia, Basic Court of Kavadarci:

Considering the fact that I come from a court with basic jurisdiction, there is significantly small number of cases which could be marked as a high profile cases. The court doesn't proceed so-called trade disputes, bankruptcy cases and only has a jurisdiction to trial criminal cases for criminal offences which are determined with penalty of prison up to 5 years. Mostly, the high profile cases from the perspective of my court are the cases which attract the attention of local community (i.e. criminal cases against the high ranked public officers).

Szekszárd Regional Court:

popular cases (both criminal and civil law cases)

Latvia, Supreme Court:

High-profile cases are cases that raise public interest, as well as cases that concern essential legal issues and contribute to development of case-law.

Turkey, Council of Judges and Prosecutors (CJP):

In our national legislation there is not any regulation about cases to be considered as high-profile. However, it could be said that cases causing public indignation such as homicide, sexual abuse, terrorist attacks that catch press interest and that is constantly kept on the agenda by the press should be considered as high-profile cases.

Ukraine, USAID Justice Sector Reform Program in Ukraine:

case participant is a public figure; case decision will affect the rights, interests and obligations of wider population/ certain social group; media is making inquiries about the case, which first did not seem as a "high profile".

Albania, High Judicial Council:

High profile cases are considered those involving politicians, judges, high public officials, etc.

Armenia, Civil Court of Appeal in Armenia:

In Armenian judicial system there is no any separation between cases.

Croatia, Supreme Court:

"High-profile cases" in Croatia are cases of great interest of the public. Usually these cases concern public officials, public figures and state-own property.

Poland (1)Regional Court in Czestochowa, (2)National Council of the Judiciary

Politically sensitive matters (concerning politicians or subjects of political dispute) or matters concerning celebrities. In addition, criminal cases regarding particularly violent acts.

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**2. How does your court communicate high-profile cases? (e.g. platforms, press conferences, foreign languages, regularity, style)**

Veszprém Regional Court:

Via press releases, press conferences, interviews.

Romania:

Usually, through press release and press conferences, but also by telephone with mass media when information is requested.

Pécs District Court:

The Press and Communication Group of the court – in case of a high profile case- make a plan for the communication method. It contains the main actions of the communication (for example the press conference, press release) and the time of the communication actions. It's style is more formal.

Bulgaria:

Scheduled press releases are prepared that contain information about which court is hearing the case, the date and start of the hearing, the parties to the case (without specifically identifying individuals) and the prosecution of criminal cases. The fundamental principle of the public nature of court hearings is respected, which is subject to restrictions while respecting the right to privacy and family life and

the right of everyone to receive and impart information. It depends on the court hearing the case how to strike a balance between free access to the courtroom and the protection of other rights set out in the European Convention for the Protection of Rights and the Constitution of the Republic of Bulgaria. Cases are heard in public, unless otherwise provided by law. The provision of information of public interest during the judicial phase may be restricted in the name of morality, public policy or national security, or for the protection of the privacy of parties or others. The right of free access to information of public interest may also be restricted where, in special circumstances, the court considers that publicity could harm the interests of justice.

Bulgaria:

Our court reports cases of public interest through a press release on the court's website or in some cases through a press conference.

Czech Republic:

We are preparing for that kind of cases very carefully and in advance. The spokesperson writes a press release and organizes a briefing with the judge-rapporteur. The judgement is published immediately on our website and also on our profiles on social networks. Some press releases and judgements are also translated to English.

Pécs District Court:

The Press and Communication Group of the court – in case of a high profile case- make a plan for the communication method. It contains the main actions of the communication (for example the press conference, press release) and the time of the communication actions. It's style is more formal.

Croatia:

in such cases my court usually forms a statement that is published in media and internet

Albania:

Usually in the High Court but also in the lower courts, when such a case is registered, a press release is made, presenting a case history, parties to the proceedings, the relevant judge and the date of the hearing. No press conferences are held, but the media is always welcomed to direct questions, in all modes of communication, receiving answers on its interest in the matter at hand.

Lithuania:

Information to the media is provided through press releases, interviews, press conferences, oral, written and e-mail responses, participating in television and radio broadcasts. Usually communicated in Lithuanian, in an official style. frequency of communication depends on media activity and interest. Normally the information is published on the same day as the opening of the pre-trial investigation.

Croatia:

Usualy statment given throw newspaper

Lithuania:

rarely. Spokesperson in county court mostly communicate with media.

Armenia:

There is no special communication for high-profile.

### Bulgaria:

Scheduled press releases are prepared that contain information about which court is hearing the case, the date and start of the hearing, the parties to the case (without specifically identifying individuals) and the prosecution of criminal cases. The fundamental principle of the public nature of court hearings is respected, which is subject to restrictions while respecting the right to privacy and family life and the right of everyone to receive and impart information. It depends on the court hearing the case how to strike a balance between free access to the courtroom and the protection of other rights set out in the European Convention for the Protection of Rights and the Constitution of the Republic of Bulgaria. Cases are heard in public, unless otherwise provided by law. The provision of information of public interest during the judicial phase may be restricted in the name of morality, public policy or national security, or for the protection of the privacy of parties or others. The right of free access to information of public interest may also be restricted where, in special circumstances, the court considers that publicity could harm the interests of justice.

### Macedonia:

The communication with the media is a duty of a President judge and spokesperson of the court. Mostly, spokespersons in the courts are judges, except few largest courts in the country, which have employed journalists as spokespersons. In cases like this, the spokesperson has regular communication with the media and submits basic information about the case (e.g. criminal offence which is subject of criminal prosecution, term for the trial etc.), without going in any details which could compromised the case. Usually, there is an interest for video or audio recording of the trial from the media. In the criminal cases, it can be allowed only if media presents a special permission issued by the President judge of the Supreme court. The presiding judge has a fully control on recording process in the courtroom and is entitled to cease the recording at any moment, under specific circumstances. In civil cases, the permission for recording should be issued by the President judge of the presiding court, with a consent of a presiding judge. If translation is required, the presiding judge selects a translator from the list of authorised court translators. The translation is consecutive, because there is no courtroom equipped with the equipment for simultaneous translation. Special attention is committed to the security measures that should be taken. The judicial police commander receives instructions from the President judge regarding the way they should act in order to prevent any issue of security in the courtroom or in the entire court building.

### Szekszárd Regional Court:

press conferences, social media

### Latvia:

Press releases about high-profile cases are issued and published on the Supreme Court's website, as well information is provided to journalists that write about court cases. Press conferences are organized only in cases where particularly important issues are decided, namely, country-wide matters (e. g. cases regarding contested results of parliamentary election). Furthermore, press releases about high-profile cases are translated into English.

### Turkey:

Although it does not only regulate the circumstances related to these kinds of cases, "Press and Communication Bureaus" have been established in courthouses to provide the public with the right to receive information about situations related to judiciary and to ensure a healthy information flow and in order to bring into force the press agency, on 20/02/2015, Circular No.153 on Confidentiality of the Investigation and Press Agency was issued. According to this Circular, it is regulated that press

spokespersons make written statements when it is useful and necessary to inform public and under urgent circumstances they give verbal press briefing. Moreover, written statements should be published on the website (if any) of courthouse; verbal press briefings should be recorded.

Ukraine:

Media is instructed by the court PIO ahead of the trial through court website and social media in terms of the date, time, courtroom number, parking, rules of taking photos, video-, audio-recording, availability of seats in the courtroom, availability of online streaming of the proceeding. After the trial a press-release about the case will be posted on the court website, in addition judge-speaker may explain court decision in a more "simple" language to the media at the press-conference or through a statement on camera.

Albania:

Usually, the communications is made via press releases. Mostly, the media seek interviews, or submit requests via email.

Armenia:

All the cases are communicated in the same way. (in the court, in national language)

Croatia:

"High-profile" cases are communicated proactively, rather than reactively. The usual means of communication are spokesperson's press release. Sometimes spokesperson gives interviews. In comparison with the ordinary cases, it can be concluded that the high profile cases are communicated with the public in a more detailed manner.

Poland:

Press conferences, press releases on the website, retransmission of part of the court sessions on television.

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**3. Does your court communicate in a different manner in high-profile cases? If so, what are the differences?**

Veszprém Regional Court:

It depends on the kind of the case itself or the crime. It is sure that we attempt to communicate high-profile cases as soon as possible.

Romania:

In high-profile cases, courts tend to communicate more often information about the course of the procedure and more opened to the public.

Pécs District Court:

I think the manner of the communication in a high profile case is not differ from the others. Maybe some circumstances for example the number of the representatives of the press can justify some special actions for instance holding not single interview but press conference. In case of a high profile case the president of the court can order previous press registration.

Bulgaria:

The press release should provide a clear answer to the following questions: who, what, where, when, why / for what purpose. The management of the institution and the speaker should note in the communication the most important information from the event.

Bulgaria:

District court-Stara Zagora does not communicate differently in high profile cases.

Croatia:

It requires more arrangements and sometimes a meeting with the judge-rapporteur. It is necessary to make it clear to the public, to explain the reasons carefully.

Pécs District Court:

I think the manner of the communication in a high profile case is not differ from the others. Maybe some circumstances for example the number of the representatives of the press can justify some special actions for instance holding not single interview but press conference. In case of a high profile case the president of the court can order previous press registration.

Croatia, Municipal Civil Court:

no, there are no differences between cases and communication about them

Albania:

Usually the court does not take a particular stance on high profile cases, but it is aware and prepared that the interest will be much higher than in ordinary cases, and at the moment it is open to collaborate extensively with the media.

Lithuania:

The communication is more active, the situation is explained in a broader way, and efforts are made to separate the issues of common interest.

Croatia:

no differences

Lithuania:

no

Armenia:

If there is any communication for high-profile cases, it is not differentiated.

Bulgaria:

The press release should provide a clear answer to the following questions: who, what, where, when, why / for what purpose. The management of the institution and the speaker should note in the communication the most important information from the event.

Macedonia:

Partly the answer of this question is contained in the previous one. Proceeding of the high profile cases demands increased engagement and mobilisation in the court. This requires intensified internal

communication which would provide every court servant with clear directions how to act. Also, the communication with the public should be more careful and precise.

Szekszárd Regional Court:

no

Latvia, Supreme Court:

Press releases are issued about all topical cases, however the need for press conferences is evaluated.

Turkey:

As it is mentioned in the previous answer, a regulation about the manner of communication of merely high-profile cases does not exist. Communications about these cases are carried out under useful and necessary circumstances as it is mentioned in the Circular in the abovementioned question.

Ukraine:

Usually through a press-release on a court social media page and court website; judge-speaker explaining the court proceeding or court decision at the press-conference or through a statemnet on camera; sometimes law academics, lawyers communicate with the public and media regarding the high-profile cases.

Albania:

Usually there are no differences between "high profile" and "normal" cases, Of course, the courts respond to the increased interest in high profile cases, but in the same manner, through press releases or TV interviews.

Armenia:

The answer can be seen in the previous answer section.

Croatia:

Please see previous answer.

Poland:

No.

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**4. How proactively should courts communicate in cases, when the crime committed has had serious adverse effects on citizens' sense of security either locally or countrywide? (e.g. homicide, terror attack, human trafficking)**

Romania:

In cases like the one mentioned, courts should communicate as soon as possible information that is public from the procedure and that can calm the society and make people feel safe.

Pécs District Court:

I think the court have to communicate proactively in these type of cases. The court should give immediate, direct and clear answer tot he population in order to avoid from the misunderstanding, false information or panic.

Bulgaria:

The court must be active in reporting the outcome of a case for a crime with serious adverse effects on the sense of security of citizens.

Czech Republic:

That type of cases should by communicated proactively. It is necessary to let citizens know that they could rely on the judiciary. That there is the crime and the punishment.

Pécs District Court:

I think the court have to communicate proactively in these type of cases. The court should give immediate, direct and clear answer to the population in order to avoid from the misunderstanding, false information or panic.

Croatia:

as I am judge at the civil court I am not involved in such cases but in my opinion Court needs to be precise and act swiftly

Albania:

National security, is one of the most important things of a state. And since the peace, security and public confidence in justice must be paramount, there is no doubt that the courts attach particular importance to such matters. Ongoing communication with the media, as citizens' representatives, taking priority measures for such issues, open and public hearings, except for cases provided for in connection with closed doors, are some of the active measures that a court gets.

Lithuania:

the should give statement as soon as posible

Croatia:

sensitive information related with victims. Data protections problems.

Lithuania:

In such cases the communication should be based on the following principals and activities:

4.1. the communication should be conducted by the relevant state agency, but not handled only by the media without clear and checked facts.

4.2. the information should be limited to avoid putting population in panic and any possible harm to parties and to the case examination by the court."

Bulgaria:

Information is provided on the phase of the investigation, no estimates are made of the outcome of the investigation, no evaluations of the evidence are given. In providing information, the principle of proportionality and innocence shall be respected. Statements that would give the impression of political commitment or bias are inadmissible. Organizing a press conference is an official way of communicating with the media only when an important event is happening or planned, or the topic is of broad public interest in order to provide one-way information and direct dialogue with the media.

Macedonia:

As mentioned above, the court that I represent doesn't have jurisdiction to process high profile criminal cases. Anyway, the pro-activity of the court in these cases is the best solution. Delivering prompt information and transparent and public trial should prevent hysteria in the media and should build certain level of trust within the community that the justice would be respected and the aims of punishment would be reached through every case proceeding. This pro-active communication with the public, especially with the media, shouldn't violate the right on fair and impartial trial of the defendant or put in danger any aspect of the trial process.

Latvia:

Courts should be proactive, however it has to be taken into account, whether the case files contain information of limited access, such as State secret.

Turkey:

When the crime committed harms public conscience and causes public indignation, public should be certainly informed with a proactive manner. Thus, in order for the current and probable negative effects on citizens' sense of security not to increase, to decrease and to be finalised, the necessary active manner is shown in relation with the judicial proceedings.

Ukraine:

As proactively as possible, taking into account questions that media and public may have regarding this case.

Albania:

In my opinion, in such cases the courts should act through their verdicts, issuing judgements relevant to the severity of the crime. Rather than the courts, the law enforcement agencies should be more proactive, i.e. the prosecution service, police, etc.

Armenia:

In all cases efficient cooperation with public is a significant precondition for activity and development of courts. The court must provide information to public, thus increasing availability of courts, ensuring openness of the work of courts, facilitating transparency of the court proceedings, increasing public confidence to court system and understanding of work of courts and rulings rendered, at the same time eliminating the risk of corruption.

Croatia:

In my opinion, it is beyond dispute that the approach should be strongly proactive. The only limit should be the reasonable protection of the investigation that should not be compromised.

Poland:

The courts do not determine the criminal policy, and it is the political power that is responsible for security matters. Courts should fairly inform about the course of such cases.

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**5. How does your court communicate politically or other way sensitive cases (e.g. the accused is a prosecutor or a judge) provided that there are no antecedents in the media? Do you make it public right after registration at court or only report when questions arise?**

Veszprém Regional Court:

It depends on the sensitivity of the parties themselves or the details of the case.

Romania:

It depends on the situation. If making it public right away does not affect the course of the procedure, public communication is engaged as soon as possible. If a very proactive public communication strategy in that case can affect the result of the procedure, information is selected and sent to the public as long as the procedure and its result is not affected.

Pécs District Court:

The court, where I work manage these cases sensitive but I think the court's duty to broadcast from these trials authentically and fully. In case of non political but other way sensitive cases – for instance sexual abuses- the court try to only respond when a direct question arises, and do not make a press release.

Bulgaria:

Our Court reports these cases only when questions arise.

Czech Republic, Constitutional Court:

That situation could not happen as we are on the top of the judicial system. But I can imagine that we report it when the question arise. The problem is the protection of personal data and such a case must be anonymized. Even when the person in question is a judge.

Pécs District Court:

We manage the case by professional approach, we do not make a distinction by arbitrary aspects for example the theme of the case or the person of the defendant.

The purpose is to inform the public in a professional way and authentic.

Croatia:

in such sensitive cases, as well as in the others, my court makes it public only when questions arise

Albania, Supreme Court:

The Supreme Court has no obligation to prepare a press release in such cases, but it does have an obligation to register the case and make it public on its official website. In co-operation with the Chief Judge or the Press Judge, the spokesperson may notify journalists of the recording of such a case and then keep the media informed of the steps the court will take and respond to journalists' interest.

Lithuania:

Communication is proactive. This is discussed as soon as the pre-trial investigation begins. The general public shall be informed and made aware of general pre-trial investigation data relating to a particular judge or prosecutor.

Croatia:

only after question.

Lithuania:

jurisdiction of County court

Armenia:

The court does not communicate all information and all stages of cases examination. The information is available on the official court web page datalex.am immediately when the case is assigned to a judge. Further information is disseminated by the court, even, when the particular judge is not aware that the case was assigned to her or him but was not officially accessed by the judge.

Bulgaria:

The media strategy in these cases is in compliance with the specific legal requirements for providing information to the media, in compliance with the provisions of the Law on Access to Public Information, the Law on Protection of Classified Information, the Law on Personal Data Protection, the Judiciary Act and the Criminal Code - the code of procedure. The media strategy defines the channels of communication, the functions of the prosecutor-general's spokesman and the individual prosecutor's offices, as well as the specific requirements for the content of the communications that the judiciary sends to the media.

Macedonia:

Majority of courts, including our court would probably share relevant information only when relevant question from any media would be raised. Although it is a wrong approach, it is mainly motivated by avoiding the public pressure and ensuring a calm environment for proceeding and decision making.

Szekszárd Regional Court:

public right after registration

Latvia:

Court reports on such cases mainly when questions arise.

Turkey:

As it is mentioned in 2nd and 3rd questions under this title, a special regulation does not exist for communication of aforesaid cases in Turkey. Communications about these cases are carried out under useful and necessary circumstances as it is mentioned in the Circular in the abovementioned question.

Ukraine:

It differs from court to court.

Albania:

Usually the courts are not proactive in this regard. Generally, they report when questions arise.

Armenia:

Courts are communicating in equal basis with both high positioned defendants and with ordinary defendants.

Croatia, Supreme Court:

In principle, the Courts react reactively. However, usually the media have the information at issue. After the case became recognized in the media, the approach begins to be more proactive.

Poland ( 1) Regional Court in Czestochowa, 2) National Council of the Judiciary):

Cases of this type are publicized most often before they even reach court. The decision on whether to report on such matters on court's own initiative or rather wait for media initiative, depends on the circumstances of the case.

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**6. How to communicate those high-profile cases, which have been repealed by the appellant court? What is your opinion; does the communication of repeal build or destroy public trust?**

Veszprém Regional Court:

In our practice the communication of the repealed cases is the task of the spokesman of the appellant court.

Romania:

In Romania, only few cases are not public on the websites of courts. These situations are expressly regulated and target, mainly, those cases that imply the respect for private life, rights of children, sexual life or information that is, by law, regulated as not public. It may affect public trust, but a balance between the right to be informed and the rights of the parties involved in the procedure must exist.

Pécs District Court:

I think to communicate a high profile case, which had been repealed by the appellant court has always two sides. Of course these kind of decisions can destroy the confidence in the jurisdiction, but if a court wants to be authentic, it can not do that to communicate only the favourable cases, news, because it can lead to reason of the loss of trust in the organization.

Bulgaria:

Our court announces the annulment of the decisions of the higher Court –Stara Zagora in public interest cases - by press release on the website. I believe that the communication for cancellation builds public trust.

Czech Republic:

It depends on more factors. On the one hand, that is a sign that the system works. On the other hand - in the eyes of the ordinary people - it could look like that somebody is wrong. Especially in the high profile cases where the courts are playing judicial "ping pong".

Pécs District Court:

We inform the public about these cases matter-of-factly.

Croatia:

definitely the repeal destroys public trust and creates the public opinion of incompetence. In such cases we usually answer swiftly and very shortly because the process is ongoing and there are not many informations that can be shared

Albania, Supreme Court:

In my opinion, making public appeals in a higher court is not a cause for the lowering of citizens' trust in justice. Of course, citizens' confidence must be tested to the last degree of judgment, and in cases

of high interest, it shows that neither party is delivered before a decision is made. In the case of Albania, citizens regard the High Court as an important step in their case.

Lithuania:

Non-communication tends to reduce trust, so it is important to communicate the decisions you have made, the actions you plan to take (such as appeal).

Croatia:

no, I dont

Lithuania:

I think it build trust, because most important is justice and fairness decisions.

Armenia:

The communication on mentioned cases is very much depends on the particular case and background, position of parties in the case.

Bulgaria:

The strategy aims at improving public awareness of the activities of judicial institutions, building a positive public image and enhancing the legal culture of society. Continuous public awareness, through objective media coverage, helps to elevate the authority of the judiciary and to understand the specifics of judicial activity.

Macedonia:

The answer would be similar as to the previous one. If the intention is to avoid the public pressure, then probably the information about the repealing would be hidden from the public. But, this information will reach the media by one way or another. So, in this manner, we also need a proactive approach. We should deliver prompt information to the public. This information should contain a short explanation of the Appeal Court's decision and decision's guidelines given to the court of first instance. Of course, this communication shouldn't contain data that could jeopardise the repeated trial.

Szekszárd Regional Court:

it depends

Latvia, Supreme Court:

Such cases are rare; these are exceptional cases. Nevertheless, the judicial system is built in a way to eliminate subjectivism. Namely, it is created in a way that court decisions may be subject to appeal. Thus, repeal of a decision should not be the basis for destroying public trust in courts.

Turkey:

As required by Continental Europe system, in Turkey where the principle of separation of powers is applied, Court of Cassation and Council of State, judiciary and administrative appeal courts, also have websites as all other courthouses. The abovementioned Circular No. 153 is not able to regulate communications by appeal courts due to the current incompetence about the issue. Therefore, the presidents of appeal courts are competent about the necessity and manner of communication of high-profile cases abolished by the appeal court.

Pursuant to general rule, it is essential that public trust is built about the fact that the annulment decision ensures abolition of illegitimate acts through judicial control in countries where the rule of

law dominates. What is important at this point is to create general acceptance before public conscience about the fact that high-profile cases are analysed as other cases and that annulment decisions taken in these cases would be taken about the same issue in other normal cases. Otherwise, it is indisputable that the annulment decision harms the public trust."

Ukraine:

The reasons of repeal should be explained to the media and public as clear as possible. It depends on a situation whether the repeal destroys or build public trust.

Albania:

In my opinion, the communication should not depend on the outcome of the appeal process. the judgement should be based on law and evidence, and if the appeal redresses a miscarriage of justice, this works towards strengthening the public trust, not the contrary.

Armenia:

Every time each communication depends on the factual and legal factors, if everything is in accordance with law there will not be any destroy of trust. But we can also mention that not always laws are legal, which means that justice and rule of law cannot coincide all the time, also there can be blanks of law. On public trust the publications of the Government and Public Media have bigger effect.

Croatia, Supreme Court:

In my opinion, repeal destroys public trust, although it should not. The communication in case of repeal should be proactive. The reasons for repeal should be explained to the public in an easily understandable but comprehensive manner. For example, where repeal concerns substantive violation of the procedure act, reasons that were basis for concluding that procedure act was violated should be explained in brief. It should be also pointed out that repeal is a possibility provided by law, whereas the final outcome of repeal will be lawful judgement.

Poland ( 1) Regional Court in Czestochowa, 2) National Council of the Judiciary):

The principle of two-instance court proceedings is an important element of justice. Even if the judgment is repealed as a result of a judge's mistake, the public should know that the system works and such judgments are eliminated.

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**7. Does your court have a (crisis)communication strategy? If so, which are those elements of your strategy that might influence public trust positively?**

Veszprém Regional Court:

I haven't heard about it yet.

Romania:

At national level, has been adopted a manual of guidelines for communication with mass media and also a manual for spokespersons that advices communication structures how to approach situations of crisis.

Pécs District Court:

In that court, where I work we haven't got a written communication strategy to influence the public trust.

Bulgaria:

Our court has a communication strategy that is uploaded to the website. The clear rules formulated in the strategy for communication in all situations have a positive effect on public confidence.

Czech Republic:

Yes, we have a communication strategy. We are trying to be as opened as possible, proactive in the communication with media and we have a (non written) rules for the communication - in the way who could pass the information to the media.

Pécs District Court:

In that court, where I work we haven't got a written communication strategy to influence the public trust. But when it is necessary the Press and Communication Group consults with the administrative leaders or the professional eaders and make a common strategy for crisis.

Croatia:

to my knowledge my court does not have a crisis communication strategy

Albania, Supreme Court:

The Supreme Court does not currently have a written strategic plan for resolving a crisis. But recognizing the general principles of resolving a delicate situation, it acts more cautiously by giving the media and the public what it cares about, to the limits of not violating the equality of parties in a litigation. Of course we are aware that in such cases we need to be clear on a few points: to set a target group; define the hierarchy of information distribution; the preparation of materials relevant to the matter in question; consider what the questions may be asked to us; consider the misunderstandings that may occur; monitor social media, portals, etc.

Lithuania:

Yes, we have a communication strategy. Most important is proactive and periodic information on the study and its progress, synchronization of communication actions with other institutions and informing the victim and / or his relatives.

Croatia:

no

Lithuania:

no

Armenia:

There is no crisis communication strategy for courts.

Bulgaria:

Each judicial authority develops and implements an annual plan consistent with the "Communication Implementation Plan". Standards for the vision of press releases for crisis communication have been introduced. Information is provided on the websites of the judiciary through press conferences,

briefings and interviews. Conducting general information campaigns on the judiciary on the work of the judiciary among target groups and local communities.

Macedonia:

I don't have information that this kind of document exists, neither in the court that I come from, nor in the judiciary in the RNM in general.

Szekszárd Regional Court:

no

Latvia:

No, there is no such strategy developed.

Turkey:

In Turkey, a special crisis communication strategy envisaged for the courts does not exist.

Ukraine:

Many courts have crisis communications guidelines, which contain instructions on who are the speakers, timeframes for communicating the first message and through which channels; the core messages in various crisis situations.

Albania:

At present, courts in Albania do not have a crisis communication strategy. the High Judicial Council recently adopted its two-year strategic plan, and one of its components is the drafting of the Communication Strategy.

Armenia:

The courts are associating with public entities during the sittings and with the decisions. During open door settings civilians above 16 and media representatives can be present and follow the procedure. No other strategies are used.

Croatia, Supreme Court:

There is no crisis communication strategy. A communication strategy is at its early stage. The court publishes its important decisions and legal points of view on its web pages.

Poland ( 1) Regional Court in Czestochowa, 2) National Council of the Judiciary):

I am not in charge of such tasks in court.

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**8. What is your opinion, can the behavior of the presiding judge in high-profile cases influence public trust and confidence in courts?**

Veszprém Regional Court:

Yes.

Romania:

Yes.

OBH:

Yes, it can.

Pécs District Court:

Yes, I think the behaviour or the manners of a judge can be bear upon the public trust.

Bulgaria:

I believe that acting of the presiding judge can always affect public trust and confidence in the courts.

Czech Republic:

No doubts about it, it could seriously influence public trust and confidence in both ways.

Pécs District Court:

Yes, I think the behaviour or the manners of a judge can be bear upon the public trust.

Croatia:

definitely the behavior of the presiding judge creates public opinion and confidence in courts because it is normal that unprofessionals pay great attention to all the things they consider important and not those that profesionally matter.

Albania, Supreme Court:

Of course yes. In Albania judges almost never go out to the media to provide information on the issues at trial, as they should not display any emotion or opinion about them, either before, during or at the conclusion of the process. But in my opinion, at the end of a process, after the decision has been made, to make it simple and understandable to the public, the adjudicating judge can make a summary of the whole process by arguing the decision but not making any additional comment on what is written in the decision. Judges in Albania speak by way of decisions, but a judge who comes out loud and figures in front of the public, to say the word orally and in a simpler way, would not have a negative impact on building trust and confidence to justice. Not all citizens are able to read or understand a court decision, due to many circumstances. So a judge would be the perfect person to convey a decision to the public, only in cases of very complicated issues and of great public interest.

Lithuania:

yes

Croatia:

yes

Lithuania:

The behavior of the presiding judge influences the public trust as the particular judge demonstrate the courts' values, principles and adherence to human rights and rule of law.

Bulgaria:

Participation in radio and television broadcasts, interviews and other media appearances by the President of High Affairs can greatly contribute to building a realistic public perception of the institution. The authoritative presence of a representative of the court / prosecutor's office in

the media is a prerequisite for increasing public confidence in the work of the judiciary. In this way, the allegations of encapsulation and inaccessibility of the justice system are refuted, and conditions for a more accurate presentation of the specifics of the work of the judicial authorities are created.

Macedonia:

In my opinion, the role of the presiding judge is crucial. He/she is in the focus of the public attention and in the public eye he/she is the image of the Court. His/her readiness, competence and attitude during the trial have a major impact in creating public opinion how Courts acts in this high profile cases. The behaviour of the presiding judge could determine the increasing or decreasing of public trust and confidence in courts.

Szekszárd Regional Court:

yes

Latvia:

The behaviour of the presiding judge influences public trust and confidence in courts. Judge conducts the proceedings according to procedures adopted. Judge listens, observes, and is impartial. Judge is the one who conducts the proceedings, it is not the proceedings (namely, parties to proceedings, advocates, prosecutors) that determines the behaviour of a judge.

Turkey:

It is an undeniable fact that high-profile cases, due to their quality, have a more different potential than other normal cases when it comes to affecting public trust and belief. Because, these kinds of cases are tried right before the eyes of public in a way and the public is informed through mass media. In this case, it is not possible to think that the behaviour of a judge hearing a high-profile case does not affect public trust and belief. At this point, this effect could be both positive and negative in terms of public trust and belief depending on the behaviour of judge.

Ukraine:

The presiding judge's behavior on and off the bench, his/her posts and likes in social media can affect public trust in any case, including the high-profile one.

Albania:

In my opinion, the Media Judge is the most suitable authority to convey the message to the public. This would take the pressure off the presiding judge, and on the other hand, explain to the public the rationale behind the judgement.

Armenia:

Judges must follow ethical rules not just when they implement their working responsibilities but also in regular life. They need to have high respect in the society so the behavior of the judges in all cases and in general will influence just objectively not in a subjective way.

Croatia, Supreme Court:

The behaviour of the presiding judge may influence public trust and confidence in the courts. As a principle, judges should not make public comments about proceedings they conducted nor the judgements they deliver, in order to maintain their impartiality. Those comments should be given by the spokesperson.

Poland (1) Regional Court in Czestochowa, 2) National Council of the Judiciary):

The behaviour of the presiding judge in the panel is very important. It is essential for him to be able to maintain order in the courtroom, to have the necessary authority, but also to communicate his speech in a language that is not only understood by lawyers.

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**9. What is your opinion, which are those expectations of the society towards courts' communication that might influence the building of public trust?**

Veszprém Regional Court:

Constant information sharing.

OBH:

Yes

Romania:

I think society asks from courts a transparent way of communication, with implies to reveal as much information as possible.

Pécs District Court:

I think a correct, direct, immediate and professional communication, which focus on the essence can be the ground of the building public trust.

Bulgaria:

The public needs to receive complete, clear, timely information on matters of public importance, as well as brief motives from the reporting judges on them.

Czech Republic:

People expect as much information as possible, and the information should be submitted in the most simply and clear way. No complicated legal phrases, no allegory, only the explanation of the basic facts - who, when, what and why. So people are expecting transparency and helpfulness.

Pécs District Court:

I think a correct, direct, immediate and professional communication, which focus on the essence can be the ground of the building public trust.

Croatia:

society expects the court to be unerring and that is impossible so the people need to become aware that judges are humans that sometimes make mistakes. On the other hand judges need to realize that they are always closely observed and act in line with that at work as well as in their personal life

Albania, Supreme Court:

An open court to demonstrate what's inside its walls. An announced decision reasoned. A decision that respects the deadlines for the whitening and submission to the secretary, within the legal limits. Audio recording of all sessions and making the recording available to interested parties. An official website filled with all necessary information, not only on litigation but also on the financial administration of the court; recruiting court staff; presenting court staff in public; open door sessions; etc.

Lithuania:

Yes, we have a communication strategy

Croatia:

equality of all men before law

Lithuania:

get information immediately, fair decisions.

Armenia:

9. 1.The communication should be accessible in terms of language;
- 9.2. The communication should demonstrate transparency and openness of the courts;
- 9.3.Public interest cases/sensitive cases should be communicated by the Supreme Justice Council before the media disseminates information about it;
- 9.4.Non-relevant information should be replaced by the official information from the courts;
- 9.5.There should be liability for dissemination of defamatory and offensive information about the court and a judge.

Bulgaria:

When organizing and conducting media appearances, magistrates should respect the legal restrictions imposed by them, but using the opportunities provided by the media, they can help to enhance the legal culture of citizens by clarifying fundamental legal issues - procedural time limits, procedures, current laws that could influence public confidence building.

Macedonia:

I would say that the public expectation is to receive prompt information. This information should be given in a clear and understandable way for everybody. This information should create an image in the public how judiciary works in general and especially that in cases of special public interest, the justice is delivered in an independent, impartial manner, based on the law.

Szekszárd Regional Court:

clarity, independency,

Latvia:

Society expects that court rulings be clear and easily comprehensible. Comprehensible court rulings and explanation of court rulings given by a judge, if needed, contribute to development of public trust.

Turkey:

About public trust building, the public expects the provision of the right to receive information on the issues about public and a healthy information flow from courts. It should be taken into consideration that this expectation is very high in high-profile cases and when the crime committed harms the public

conscience and cause public indignation. For this reason, when these kinds of cases are at stake, the necessity of sharing current information with the public about the continuing judicial process becomes more of an issue. In other words, in these kinds of cases public expects to be informed as up-to-date as possible in a satisfactory manner. Moreover, the establishment of the necessary technological infrastructure to access the decisions given by courts and access to these decisions by citizens are some of the expectations as well.

Ukraine:

transparency, clear understandable language in court decision and in judge-speaker's explanation on camera, ethical behavior of judges on and off the bench, as much documents about the case as possible according to the law available online.

Albania:

Strengthening the public trust requires transparency and continuous communication on the really hard work that the courts actually do. The public has to be informed about the services that are offered, the process taking place until the final judgement. Transparency, honesty, accountability, and trustworthiness should be the leading principles.

Armenia:

All types of communications must be open for the public if not stated otherwise in the law. It depends on the legal consciousness of the public.

Croatia, Supreme Court:

On the one hand, the society should understand that the judge's duty is to apply the law fairly and equally, without taking into account possible social, political or media pressures. On the other hand, the availability of the courts press releases that contain prompt, accurate and easily understandable information might be manner of communication that could influence the building of public trust.

Poland ( 1) Regional Court in Czestochowa, 2) National Council of the Judiciary):

There are two basic expectations: language and empathy. The language of court letters and oral presentations in court should be inclusive, enabling basic messages to be understood not only by lawyers, but also by other citizens. In turn, empathy should be remembered about, because a specific court case can be one of hundreds of similar cases dealt with in court each day, but for a citizen it may be his only court case in life.