

Working group I.

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Each member of the group participated in the lively discussion around three topics:

1. What is the nature of cooperation between courts and the press, is it proactive or reactive, how satisfactory is it on a scale from 1-10 from the perspective of the judiciary? What are the cooperation's benefits and problems? Each participants gave his or her opinion and shared their experience, and we prepared a spreadsheet about the results. Answers:
 - a. Most countries were reactive or mixed (5-6)
 - b. Benefits: transparency and trust;
 - c. Problems were manifold, but mainly: sensationalism, assimetry, misinterpretation of judgements, limits of disclosure e.g. personal data, a mutual distrust.
2. Is it a good idea to select cases that a court would predigest for the press and issue a press release?
 - a. some participants opposed the idea of predigested press releases as such and listed its drawbacks:
 - i. pointing out a case raises the media's attention;
 - ii. press attention before the final judgement puts a burden on the judge who works on the case;
 - iii.
 - iv. selection of some cases unnecessarily reveals the court's opinion.
 - v. Separation of powers shall be kept in mind; media should do its own duty and courts also their own.
 - b. Other participants held that press releases can be beneficial to ensure that media transmits facts more precisely. They pointed out the following factors to keep in mind:
 - i. socially important decisions should be predigested in order to create better understanding;
 - ii. ideally a press release should be made only after the final verdict is delivered
 - iii. media is no more a gatekeeper; through means of social media directly the public can be addressed; In order to inform the public, courts can bypass the mediator.
 - iv. for the sake of case law an abstract could be drawn from decisions and published on website;
 - v. cases of local and of national interest may be different;
 - vi. aspects of selection should be social importance, rather than sensationalism;
3. The third big issue discussed by working group I. was the use of social media in the courtroom. Its the dangers were pointed out, benefits were not found.
 - a. influences witnesses:
 - b. can flame up a politically sensitive situation;

- c. may interfere with electronic system in the building;
- d. the judge should have the power to decide on the spot depending on the circumstances.

However, manner of enforcement is technically problematic:

- e. jammers are not useful because judges are to use technology, as well as attorneys.
- f. metal detection arches are expensive, as is personal who controls possession of the devices.