

## **Image and sound recording at courts**

1. What type of legislation regulates the image and voice recording at courts in your country and in what way?

**Section 169 (2) Courts Constitution Act regulates: „Audio and television or radio recordings as well as audio and film recordings intended for public presentation or for publication of their content shall be inadmissible.”**

2. Is there a separate provision (legislation, recommendation, regulation, etc.) regarding image and sound recording at courts, court buildings, court hearings, court events?

**Recordings in the court room (before the session) can be admitted by the presiding judge, dependent on section 176 Courts Constitution Act („The maintenance of order in the sitting shall be incumbent upon the presiding judge.“). Any other recordings shall be regulated by the Court’s President as part of his householder’s rights.**

3. Is the practise relatively uniform regarding image and sound recording at different courts in your country? If not, what characterises the types of recordings and what are the possibilities?

**As recordings in the court room are under admission of the presiding judge, there are different practices even within one court. There is no exact regulation, only some decisions by the Federal Constitutional Court exist, requesting the presiding judges to balance personal rights of the subject and the interest of the public.**

4. If recording is permitted, how is this applied in practise? Where is it permitted (in front of the building, in the court room itself, on the corridor, etc.)?

**Recordings in front of the building cannot be regulated as long as they take place on public ground. Most court’s presidents usually ask the press to inform their public relations officers before recordings shall take place. They might forbid any recordings in the court building in special cases, i.e.**

to protect witnesses. Presiding judges can allow recordings in general for all cases or ask the public relation officer to inform him about press requests. Permits only cover the time before the start of the proceedings (acc. Section 169 (2) Courts Constitution Act). They can be given orally or in written form. If recordings in the court room are not permitted by the presiding judge, the press can appeal to the Federal Constitutional Court only.

5. Are there any common problems relating to image and sound recording and if so, what are these?

**Frequently there are conflicts because presiding judges decide more restrictively about image and voice recording than the press requests in order to protect the personal rights of the subjects. As a compromise, many presiding judges only permit recordings when the faces of the subjects are blurred by technical means.**

6. Is a contribution required from the subject in order to record image and/or sound? Is there a difference in this aspect between public figures (judge, prosecutor, policemen, etc.) and others attending the trial (parties, witnesses)?

**By jurisdiction of the Federal Constitutional Court, public figures must accept being recorded in the court room. With respect to the subjects the presiding judge has to balance between the personal rights of the subject and the interest of the public.**

7. In case the recording takes place at the court room, who decides about how the recording is done (location and movement of the press in the court room, who can be recorded, what is the time frame of the recording)?

**The presiding judge has to maintain the order in the court room, so he regulates the press' position in the room. The moment proceedings start, all recording has to stop (sec. 169 (2) CCA).**

8. Do courts keep the press informed on current cases or substantive decisions? If so, are there any specific rules?

**Art. 5 Basic Law for the Federal Republic of Germany provides the press with the right to be informed about substantial cases. This is normally done**

**by the courts' public relation officers either orally or by press releases. Substantial decisions are published by most German courts via internet.**

9. Is the recorded material made available to the subjects before it is published? If yes, in what way?

**As there are no recordings done by the courts themselves but only by the media, subjects cannot request to get access to it before broadcast.**

10. In case incorrect information is published about the courts, or the content of a statement changes in the course of post-production, are any measures taken? If yes, what are the means of correction?

**In case of incorrect information, press relations officers will contact the media, in very special cases the editors, and ask for correction in the next issue. The courts' presidents can also request a counter statement or sue the press for omittance in the future.**

## **Strengthening of court PR: new trends of communication**

1. What type of social programmes are organised by your court in order to bring the public closer to the court?

**There are programs for students who get the opportunity to visit court sessions and discuss the results with the judges and the prosecutor afterwards. At some courts, there are special events on certain themes, i.e. inheritance law, where judges, notaries and lawyers make presentations.**

2. What kind of CSR programmes are organised by your court in the framework of corporate social responsibility?

**Not by the courts, only by the ministries.**

3. Are the programmes focused on a specific field of law? Are there significant programmes and events for a given field (e.g. domestic violence)?

**The ministries of the judiciary in the federal states have different programs, i.e. in the field of domestic violence or damages for pain and suffering.**

4. Are there programmes designed for specific groups of society (e.g. rights of children, helping the disabled)?

**Yes (dependent on the federal state).**

5. Is there cooperation with partner organisations, non-governmental organisations relating to these programmes?

**Yes (dependent on the federal state).**

6. How and where are said programmes and results communicated?

**Mostly by internet.**

7. What are your courts international relations? In order to maintain them, do you have programmes, invite partner judges or send your own judges and experts to partner courts?

**There are both EU based programs and relations between the higher regional courts, i.e. the higher regional courts of Cologne (Germany), Arnhem (The Netherlands) and Krakow (Poland). Part of these programs are invitations and mutual events.**

8. Is your country or court involved in international scholarship programmes, exchange programmes or study visits?

**Yes, see question No 7. There are also exchange programs.**

9. Is there a separate platform for the communication of international relations – foreign website, etc.?

**Some courts and ministries provide internet content in english.**

10. Does your country or court use social media surfaces, if yes, what type of events are published?

**Information can be found on webpages.**

## **Means and measures of crisis communication**

1. How is a crisis defined in the life of a court?

**A crisis is an unnormal situation, i.e. a terrorist attack or an escape of an arrested person.**

2. Is there a crisis communication plan at your court?

**There are basic principles for crisis communication and possibly also certain plans at some courts.**

3. If you do have a plan for crisis communication, what is the content?

**The basic plan includes to inform higher authorities (higher regional court, ministry etc.) and the press. In a high ranking crisis, the press might only be given information by higher authorities. The press must have a communication partner at any time.**

4. Is there a declaration order in case of a crisis? If so, what is this order?

**Yes, but the content varies based on the type of the crisis.**

5. What are the primary surfaces for the communication in case of a crisis?

**Telephone, press release (E-Mail) and interviews.**

6. What are the main messages in case of a crisis?

**The measures necessary are being taken and the public will be informed about any step as soon as possible.**

7. What basic principles need to be followed during crisis communication?

**Keep calm, inform the media and the public as soon as possible and always tell the truth.**

8. How are the publications documented and followed during a crisis?

**They are normally documented in press reviews which are compiled by**

**press relations officers or their office staff.**

9. Is there any communication after the crisis and if yes, what is it like?

**Depending on the type of the crisis there might be interviews with the court's president or other officials.**

10. How can a crisis be prevented? What crisis preventing strategies are used?

**By security measures (preventing escapes) and other regulations.**