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Introduction

Open justice is a fundamental principle of our legal system. Public trust and confidence in the rule of law relies on the public understanding how our legal system works, and much of this knowledge is derived from media reports.

The Northern Ireland Courts and Tribunals Service (NICTS) has an obligation to facilitate media access to courts and tribunals.

This guidance is designed to help the media understand the procedures and guidelines involved in court attendance and reporting.



Who are the Media?

Journalists' roles vary. Some work for local, regional, or national newspapers, others work for the broadcast media. An increasing number of journalists represent fully online news platforms. Some work for press agencies like the Press Association, providing stories to established media organisations, others are freelance, either publishing stories themselves or providing them to others. For the purposes of this guide, an "accredited journalist" is a holder of a UK Press Card issued under a scheme operated by the <u>UK Press Card Authority</u>. The full list of organisations that issue press cards including, for example, the BBC, the National Union of Journalists, the News Media Association and the Foreign Press Association can be found <u>here</u>. Journalists from the Republic of Ireland are issued with UK Press Cards from the NUJ Dublin office.

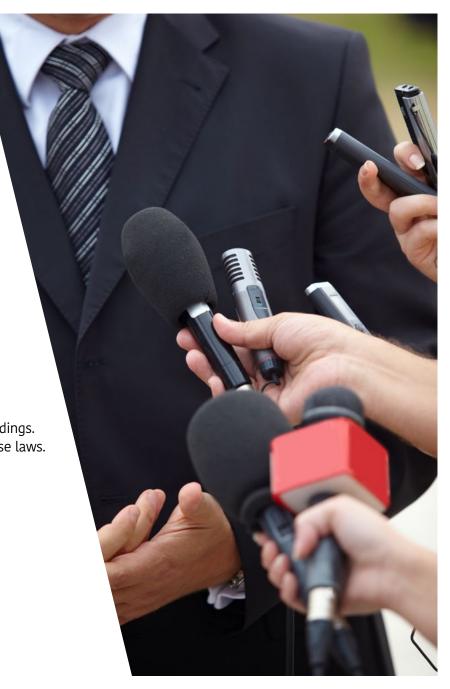
All journalists will be asked to provide a copy of their UK Press Card when requesting access to Media Court Lists Online or Sightlink.

Most journalists reporting on court and tribunal hearings will have had training in media law and should be familiar with legal issues relating to the reporting of court proceedings. The law sets out what can and cannot be published in respect of criminal and other proceedings. Journalists and media organisations have a legal obligation to ensure compliance with these laws. This is known as the principle of responsible reporting.



Student Journalists

Student journalists can attend court cases or hearings as part of their training if they are accompanied by an accredited journalist. Requests should be submitted to courtcomms@courtsni.gov.uk



Accessing Court Information Online

Media Court Lists Online

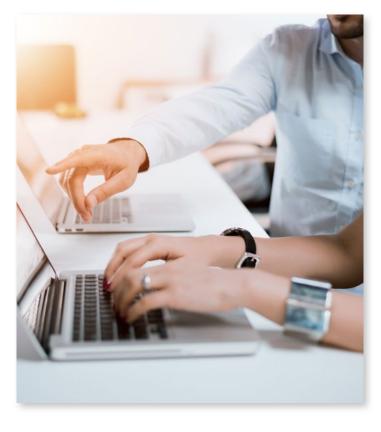
NICTS provides access to information on the criminal cases that are listed for the next 14 days via Media Court Lists Online (MCLO). MCLO is an online service that provides accredited journalists with access to court information including the name, date of birth, and address of the defendant; charge details; names of victims; and date and venue of the next hearing. The outcome of proceedings and bail conditions do not appear on MCLO.

Media Court Lists are refreshed at 10.00 pm each day and the updated details are available to view from 5.00 am the following morning. Details of the current day's listings are unavailable after 10.00 pm.



Access to MCLO is governed by the NICTS Media Court Lists Online Protocol. To access MCLO, journalists must sign a Memorandum of Understanding (MOU) which sets out the arrangements by which NICTS will provide media court lists to subscribers. The MOU also covers access to Sightlink. To validate that the subscriber is an accredited member of the media, a copy of a UK Press Card must be provided and, if applicable, the MOU must be countersigned by the media outlet's editor (except in the case of freelance journalists). It is the responsibility of subscribers to ensure that any legal restrictions in respect of the publication of any information contained in a media court list is adhered to.

Requests to register for MCLO should be submitted to courtcomms@courtsni.gov.uk a minimum of 48 hours before access is required. Upon registration, journalists will be provided with a username and password.



Public Court Lists

Public Court Lists is a free service which allows any member of the public to view the court lists for civil, criminal and family business for any court venue for the next 14 days. Court lists are refreshed at 10.00 pm each day and the updated details are available to view from 5.00 am the following morning. Details of the current day's listings are unavailable after 10.00 pm. The NICTS Public Court Lists User Guide sets out how these can be viewed.

Inside the Court Precinct and Courtroom

Media Access to Courtrooms and Press Seats

The media are entitled, by law, to be present at all open court proceedings (including those with reporting restrictions in place). Many courts have dedicated press seating. If there is no dedicated, or insufficient, press seating, seats in the public gallery should be used. However, there are limits to what a journalist seated in the public gallery can and cannot do – see below for more detail.

Journalists should ensure their UK Press Card is visible when entering and inside the courtroom. Court security staff may ask for sight of the UK Press Card to verify that an individual is an accredited journalist.



Text-based Communications from Court

As set out in Practice Note 01/2016 - Note taking and the use of live text-based forms of communication (including Twitter) from court for the purpose of fair and accurate reporting) issued by the Lady Chief Justice's Office (LCJO), journalists sitting in the press box are permitted to take notes and to use text-based devices without notifying the court. This includes texting, emailing, or using live text-based reporting on X (formerly Twitter) and other social media networks. However, the use of devices should not cause a distraction, and the judge retains full discretion to prohibit such communications from court. Journalists are not permitted to use text-based devices when seated in the public gallery. A journalist who uses a device for live court reporting is subject to the same legal restrictions and obligations as any other form of court reporting.

Audio Recordings, Photography and Filming

Audio recording, photography and filming of courts and tribunals proceedings is strictly forbidden, as is making a portrait or sketch of any person in court. The recording of court proceedings is contempt under section 9 of the Contempt of Court Act 1981 and is punishable by a fine or imprisonment. Publication of any such recordings also constitutes contempt. This includes posting or sharing posts on social media on platforms such as WhatsApp, Facebook, X or Instagram.

It is also not permitted to photograph, film or sketch people within the precincts of the court.



Attending a Court Remotely

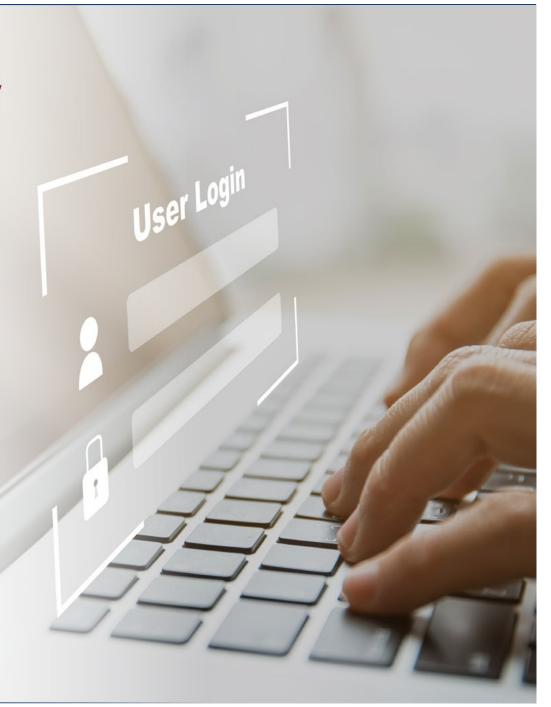
In addition to attending the courtroom, the media can request to attend a hearing remotely via **Sightlink**, the cloud-based video conferencing solution currently used by NICTS.

Those attending a hearing remotely are subject to the same prohibitions that apply when attending a physical courtroom, and the same courtroom etiquette should be adhered to. Remote attendees must not take photographs or record (audio or video) any part of the proceeding. Access to Sightlink is provided to journalists in their media role and Sightlink details should not be shared, nor should anyone not registered for access to Sightlink view proceedings via a journalist's Sightlink connection. Any other person wishing to attend a hearing remotely must make an application to the court. Further information can be found on the <u>Judiciary NI website</u>.

To attend a court or tribunal hearing using Sightlink, journalists must sign the MOU referred to above. Requests to register for Sightlink should be submitted to courtcomms@courtsni.gov.uk a minimum of 48 hours before access is required.

Sightlink numbers, which are specific to each courtroom, are provided in the MOU. Sightlink numbers must not be shared with anyone else.

Journalists should ensure that they are signed into Sightlink no less than ten minutes before the court is due to commence. Journalists must use their full name and the name of the organisation which they represent when signing into Sightlink.

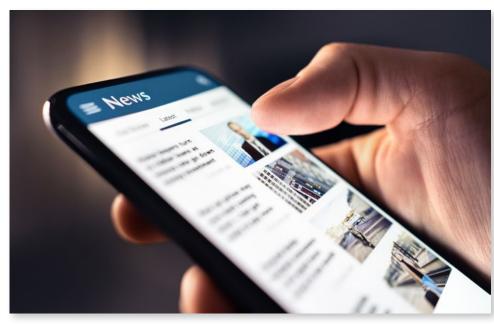


Reporting Restrictions

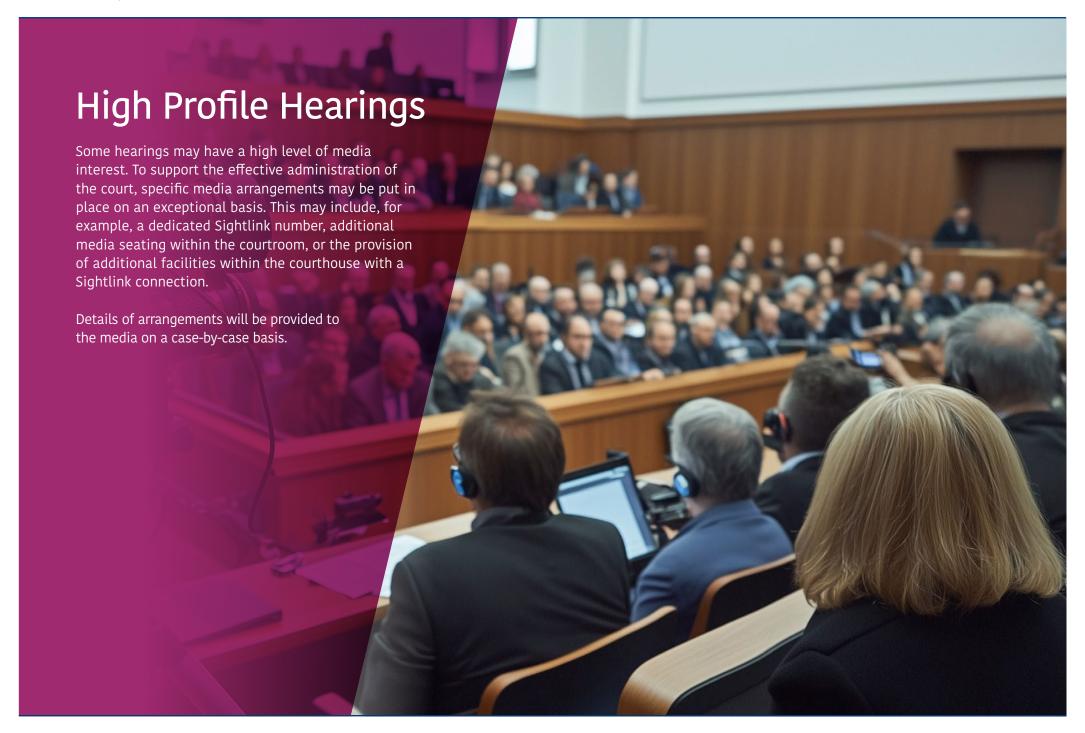
Guidance on reporting restrictions in the Northern Ireland courts is available in the Judicial Studies Board Reporting Restriction Guide.

It remains the media's responsibility to ensure that what is published conforms to their legal obligations.

In certain circumstances, a court has the power to exclude the public and media from all or part of civil and criminal proceedings, where doing so is necessary to prevent the administration of justice from being frustrated or rendered impractical (e.g. to protect the interests of national security).







Press Queries

Standard Court Reporting Media Query

NICTS is responsible for responding to standard court reporting queries in relation to courts and tribunals or coroners' inquests received from journalists. These include queries about:

- Court listing dates
- Court outcome and results
- Sightlink

Journalists who want more information relating to a case on MCLO can submit a press enquiry by telephone on 028 9041 2905 or by emailing courtcomms@courtsni.gov.uk. This mailbox is monitored during normal working hours, Monday to Friday 9.00 am to 5.00 pm.

The following information must be provided when submitting a standard court reporting media query:

the journalist's name, contact details and the organisation they represent;

the precise information which the journalist is requesting (including name of defendant and 'ICOS' number, if known); and

the journalist's deadline, if applicable.

Press Enquiries

Other press enquiries, for example, where the media is requesting a statement from NICTS, are dealt with by Department of Justice (DoJ) Press Office. Press enquiries should be emailed to Press.Office@justice-ni.gov.uk.

Requests regarding the judiciary, including for copies of sentencing remarks, decisions, interviews or comment should be sent to the Lady Chief Justice's Office - LCJOffice@judiciaryni.uk.



The Judiciary and Lady Chief Justice's Office

Any requests regarding the judiciary, including for copies of sentencing remarks, decisions, interviews or comment should be sent to the Lady Chief Justice's Office - LCJOffice@judiciaryni.uk

Judicial Decisions

Copies of judicial decisions can be found on the <u>Judiciary NI</u> website. If copies are not published online, they can be requested by emailing <u>LCJOffice@judiciaryni.uk</u>.



LADY CHIEF JUSTICE'S OFFICE



Feedback on this Guidance

We hope this guidance provides useful information to support NICTS and the media working together to provide effective access to Northern Ireland Courts and Tribunals.

Your feedback is welcome - please send all comments to courtcomms@courtsni.gov.uk.



