[GB] Court reporting in England and Wales: reforms on the way?

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The English Law Reform Commission is conducting a wide-ranging review of the area of law known as “contempt of court”. Basically, this relates to conduct that undermines or has the potential to undermine the course of justice.

One amongst several areas of inquiry by the Commission is “contempt by publication” - which aims to balance the right of a defendant to a fair trial with the right of the publisher to freedom of expression (Article 6 v. Article 10 of the European Convention on Human Rights). However, it is important that it is not just the substance of what is published that may be of concern. What also matters is if the procedures for dealing with this form of contempt may not be as fair and efficient as possible.

The Report on that issue was ordered to be published by the House of Commons on 25th March 2014. The main Recommendations are to:

- Ensure that court reporting postponement orders are all posted on a single publicly accessible website (a similar website currently operates in Scotland).

- Include a further restricted service where, for a charge, registered users could find out the details of the reporting restriction and could sign up for automated email alerts of new orders.

- Greatly reduce their risk of contempt for publishers, from large media organisations to individual bloggers, and enable them to comply with the court’s restrictions or report proceedings to the public with confidence.

Law Reform Commission - contempt of court

http://lawcommission.justice.gov.uk/areas/contempt.htm

CONTEMPT OF COURT (2): COURT REPORTING (Law Comm No 344)

http://lawcommission.justice.gov.uk/docs/lc344_contempt_of_court_court_reporting.pdf

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