



**Media Working Group**

Wednesday 16 November 2022

**In attendance:**

**Members**

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**Presenters**

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**Guests**

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**Apologies:**

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**Secretariat:**

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**1.0 Welcome, Previous Minutes and Actions (-----)**

- 1.1 ----- thanked and welcomed attendees to the meeting and outlined the agenda.
- 1.2 Papers for this meeting had been circulated in advance to the Group.
- 1.3 Minutes of the meeting on 26 April 2022 were approved.
- 1.4 The Action Log had also been circulated in advance. All actions approved to be closed.

## 2.0 Open Justice Policy Update – including the JSC’s Open Justice report (-----)

- 2.1 ----- stated that the first Police, Crime, Sentencing and Courts Act 2022 (PCSC Act) had been passed and allows remote access to all types of court and tribunal hearings, including fully in-person hearings. Application for access must be made to the judge. This change will especially support court reporting and vulnerable and less able court users. Court staff and judges have been advised about the provisions and been issued guidance.
- 2.2 In the following discussion it was stated that around 70% our courts had necessary AV technology to facilitate requests for remote hearings. HMCTS have an ongoing project to upgrade equipment and expand AV across more courtrooms.
- 2.3 With regard to Section 28, pre-recorded evidence, playback capability on CVP, it was explained that there were two parts i) livestreaming from another part of the court building with a delay function and ii) provisions for pre-recorded evidence. Video playback was not possible; this required a different solution and would be subject to re-procurement in the future. -----, -----, HMCTS Future Hearings team to consider multiple AV solutions when retendering for i) Livestream and ii) Pre-recorded evidence contracts.
- 2.4 ----- stated that some judges had set deadlines to accept remote hearing request which added pressures to HMCTS staff and may result in admin difficulty for staff in managing requests. ----- questioned how HMCTS staff would manage any which were sent after these pre-set deadlines. ----- undertook to meet with ----- out of this meeting. ----- added that the LCJ had issued judicial guidance and this could help encourage consistency.
- 2.5 In response to ----- on are there monitoring and/or targets on responding to media request to join a hearing remotely, and how quickly responses are made to listing/hearing enquiries, ----- stated that staff are regularly reminded about the need to respond in a timely way. --- to share escalation route for systemic and operational issues experience by journalists when trying to access remote hearings or when there is no timely response from the court **Action AP06/22.**
- 2.6 ----- referred to his experience at Isleworth Crown Court and the lack of provision to ask questions pre/post a remote hearing as there was no time or space for journalistic work in between hearings. ----- (and ----- – HMCTS Future Hearings Design team) to review remote hearing guidance on how we manage start/end of hearings and communicate to staff if any changes made to guidance **Action AP07/22.**
- 2.7 ----- added that there were other examples where listing officers taking longer to respond to requests to join hearings. ----- (and wider MWG members) to provide details on relevant courts/sites (outside London – e.g. Lewes Crown Court mentioned) where listing officers are taking longer to reply to request to join a remote hearing.
- 2.8 ----- advised the meeting that the Justice Select Committee (JSC) report into open justice and court reporting had been published two weeks ago (1 Nov 2022) and a response by HM Government is due by 3 January 2023. There is likely to be a review of how the PCSC Act (remote hearing guidance) had been embedded as a policy instrument, and operationally. In the New Year we will discuss with MWG members how the evaluation will take place and how they can provide feedback for inclusion in review findings **Action AP08/22.**
- 2.9 ----- to share link to JSC report with this group **Action AP9/22.** MoJ/----- to share the Government response when published **Action AP10/22.**

## 3.0 Future Hearings update and progress (-----, -----, -----)

- 3.1 ----- repeated an apology already made in response to a press enquiry from -----, about the non-circulation of SJP court lists and registers earlier in the year.
- 3.2 ----- provided background on the Publications and Information/Courts and Tribunals Hearing Service (CaTHS) which was now available with limited information as a beta service. Feedback had been sought from users including members of the Media Working Group. Subscription to the service and guidance on how to view the lists was available. Arrangements were in line with Government/Cabinet Office guidelines and best practice. The service would be expanded as when other programmes and project are reformed for examples the Common Platform. ----- (supported by -----, HMCTS Comms) to establish a sub-group of the Media Working Group for ongoing engagement and communication as CaTHS develops **Action AP11/22.**

- 3.3 ----- and ----- presented the slide deck at **annex 1** and invited discussion on the Single Justice Procedure media list format/design. Following feedback from users, suggested improvements to the list include reducing its size. ----- added that further incremental improvements would continue to the planned end-state – but delivery timescales were dependent on programme priorities. Although the group agreed with the recommended solution to reduce the size of the list, it was noted that the list would continue to grow as new prosecutors were added and other list format/design issues were also raised.
- 3.4 It was felt that the SJP lists should be organised geographically to improve useability and reporting. ----- to explore if the data can be presented/organised geographically so that, for example, all offences committed by defendants with a London address are grouped together **Action AP12/22**.
- 3.5 ----- asked when all lists will be consistent. In terms of timescale and final SJP list format solution, this would be discussed with the Crime Programme; ----- and ----- to provide timeline for development/key milestones on CATHs project (in answer to the question about when all lists would be in a consistent format/style/file type) **Action AP13/22**. There was support for this to be taken forward, to regions outside London, and for feedback to be brought back to this group to share final solution/design before going live.
- 3.6 ----- mentioned it would be good if these issues/changes could be live before further police forces were added. ----- and ----- to share final SJP list format solution with MWG before go live **Action AP14/22**. ----- and ----- to share summary of requirements, design and system change processes for CATHs with MWG **Action AP15/22**.

#### 4.0 Transparency in the family courts update (-----)

- 4.1 Updating the Family Division Transparency Review, LA informed the group that there was a broad written update that was published on 3 October 2022. The main update includes detail of the pilots that will commence at the end of January 2023. Guidance for participation in the pilot is currently being finalised for judges, legal professionals, and the media. ----- stated that briefing meetings would be arranged with judges and other professionals affected. ----- added that there has been good progress at Leeds, Cardiff and Carlisle pilot sites and undertook to provide feedback. MWG members to provide volunteers/names to take part in the family transparency project media engagement session in December, and the pilots in Cardiff, Carlisle and Leeds. Names to be sent to ----- (-----) and ----- (-----) **Action AP16/22**. In response to -----, ----- stated that there had been no resistance to the pilot.

#### 5.0 AOB (-----)

- 5.1 In response to a query from ----- on an update to the online plea and allocation (OPA) following a sub-group engagement session earlier in the year, ----- stated that work was ongoing on OPA technical development and conversations on design. The issues had been discussed at the extraordinary OPA engagement session on 22 June 2022. ----- undertook to provide a written update to the group on OPA work/progress **Action AP17/22**.
- 5.2 With respect to reporters unable to get to hearings due to delays with security checks, it was asked whether journalists could by-pass security on production of a press or identity card. ----- stated that the Bar Council had funded the Professional User Action Scheme, and as part of that there was a digital verification process that complies with HMCTS security requirements. The sector would need to cover the cost of introducing such a system, as well as ID verification, if this were to be given further consideration.
- 5.3 ----- stated that there was difficulty in getting material in time for court hearings. Editorial items were not given in time. ----- undertook to provide ----- with contact details of CPS Comms Director to discuss issue of non-supply of AV materials/evidence **Action AP18/22**. ----- undertook to meet with ----- and check who owns 'directions' on supply to evidence/materials to the media **Action AP19/22**.
- 5.4 ----- to meet with ----- on the 2 of 3 questions she raised before this meeting (court documents and judgments) **Action AP20/22**.
- 5.5 ----- to meet with ----- to discuss media access at the RCJ. ----- to share output with this group and the wider HMCTS team **Action AP21/22**.

## **ACTIONS:**

**AP06/22** – ----- to share escalation route for raising concerns about systemic/operational issues when accessing remote hearings.

**AP07/22** – ----- (and ----- – HMCTS Future Hearings Design team) to review remote hearing guidance on how we manage start/end of hearings and communicate to staff if any changes made to guidance.

**AP08/22** – MWG members to be advised about providing feedback for inclusion in the PCSC Act (remote hearing guidance) review findings.

**AP9/22** – ----- to share link to JSC report on Open Justice with the MWG.

**AP10/22** – MoJ/----- to share the Government response to the JSC report when published.

**AP11/22** – ----- (supported by -----, HMCTS Comms) to establish a sub-group of the Media Working Group for ongoing engagement and communication as CaTHS develops

**AP12/22** – ----- to explore if the data (SJP list) can be presented/organised geographically so that, for example, all offences committed by defendants with a London address are grouped together.

**AP13/22** – ----- and ----- to provide timeline for development/key milestones on CaTHs project (in answer to the question about when all lists would be in a consistent format/style/file type).

**AP14/22** – ----- and ----- to share final SJP list format solution with MWG before go-live.

**AP15/22** – ----- and ----- to share summary of requirements, design and system change processes for CaTHs with MWG.

**AP16/22** – MWG members to provide volunteers/names to take part in the family transparency project media engagement session in December, and the pilots in Cardiff, Carlisle and Leeds. Names to be sent to ----- (-----) and ----- (-----).

**AP17/22** – ----- to provide a written update to the group on OPA.

**AP18/22** – ----- to provide ----- with contact details of CPS Comms Director.

**AP19/22** – ----- to meet with ----- and check who owns 'directions' on supply to evidence/materials to the media.

**AP20/22** – ----- to meet with ----- on questions she raised before this meeting about court documents and judgments.

**AP21/22** – ----- to meet with ----- to discuss media access at the RCJ. ----- to share output with this group and the wider HMCTS.



