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For accountable journalism

Guidance on court reporting

Key points

- It is a fundamental principle of open justice that court proceedings can ordinarily be reported on by the media in an open and transparent way.

- A number of clauses in the Editors' Code are relevant to court reporting. These are: Accuracy (Clause 1), Harassment (Clause 3), Children in sex cases (Clause 7), Reporting of crime (Clause 9), Victims of sexual assault (Clause 11), Witness payments in criminal trials (Clause 15), and Payments to criminals (Clause 16).

- Journalists have an obligation to ensure that a report of what was heard in court is accurate and not misleading.

- Reports of legal proceedings ought to be fair and accurate, and any reporting restrictions or statutory prohibitions on reporting complied with.

- Any information from other sources must be clearly distinguished in an article from that which was heard in court.

- All victims of sexual offences, including children, and victims of Female Genital Mutilation (FGM) are granted anonymity for life from the moment they make an allegation.

- Taking contemporaneous notes during court proceedings is an important way to demonstrate that care has been taken over the accuracy of any subsequent court report.

- If the opening of a trial is reported, it is good practice to report the conclusion.

About this guidance

It is a fundamental principle of open justice that legal proceedings ordinarily take place in public and that the media are entitled to report on proceedings in an open and transparent way. The public has the right to know what happens in courts and tribunals, and public confidence in the justice system relies on transparency.

This document is intended to provide guidance to editors and journalists on how the Editors' Code of Practice applies to court reporting and includes case studies of relevant decisions by IPSO's Complaints Committee. The case studies are summaries of the decisions, and we recommend that you read the decisions in full.

This guidance does not replace or supersede the Editors' Code, but is designed to support editors and journalists. It does not limit or restrict editorial decision making, but may inform that decision making.
As well as the Editors' Code, court reporting raises a number of legal issues. There are circumstances where it is necessary to depart from that

principle in order to ensure the proper administration of justice itself or to protect an individual's rights.

In order to be useful and relevant to the reporting of court proceedings, this guidance refers to some legal matters, but it should not be relied upon as legal advice. In particular, the guidance does not substantially address privilege and contempt of court.

The Editors' Code

The Editors' Code of Practice sets the framework for the highest professional standards for journalists and the rules that newspapers, magazines and digital sites which are regulated by IPSO must follow.

Accuracy (Clause 1)

To comply with the Editors' Code, court cases must be reported accurately and the offences with which a person is charged must not be misrepresented. This includes accurately reporting what was said in court and distinguishing evidence heard during a trial from any additional matters which may be included in the article, but which are not heard in court.

Complainants may dispute the case presented against them. But, if information has been heard in open court, then this can be reported in the absence of a reporting restriction or any other legal prohibition which is automatically imposed by law (for example, by statute).

When reporting on a court case care should be taken to accurately identify the defendant. Reporting the age and partial address (including road name) of a defendant will help distinguish them from someone else of the same name.

Contemporaneous reports of proceedings in court which are fair and accurate attract absolute privilege. Nevertheless, any reporting restrictions must be complied with (see section on special considerations).

Court staff can be a good source of information about each day's court cases. In many civil court cases journalists are granted access to the statements of cases. Court staff can be contacted for these. Judgments of the court are also usually available online.

Where documents relating to a case are publicly available, they should be consulted to ensure that reports are accurate.

The police or other public bodies may issue a press release about a case, but if there is any doubt or there are apparent contradictions about significant information included in a press release, it should be independently verified. In the complaint of Enticknap v The Gazette (North East, Middlesbrough & Teesside) the

publication of information contained in a police press release which was not verified by the publication meant that a man's court case and conviction were inaccurately reported, resulting in a breach of Clause 1 (Accuracy).

Enticknap v The Gazette (North East, Middlesbrough & Teesside)
A man complained about an article which reported on his sentencing hearing. The article included references to him blackmailing a victim and using the threat of blackmail.
The complainant said that a charge of blackmail had been dropped and he had not been found guilty of it. The publication said that the article had been based on a police press release, which included a comment by police stating that the complainant had used the threat of blackmail; on receipt of the complaint, the publication had contacted the police, who corrected the press release.
The Committee upheld the complaint as a failure to take care over the accuracy of the report, ruling that where the press release was contradictory about the charges faced by the complainant, the publication should have taken steps to verify the correct position.

Good contemporaneous notes will demonstrate that care has been taken at the hearing and will preserve the most significant details, including the charges, plea, dates of offences and sentencing.

In the complaint of Coombes v Daily Post, the newspaper had inaccurately reported the fine imposed on the defendant, the date by which it was to be paid and the penalty faced by the defendant if it was not paid on time, resulting in a breach of Clause 1

Coombes v Daily Post
A man complained about an article which reported that he had been found guilty of breaching a restraining order. The article stated that he had been fined £1000, with a £100 surcharge, and that he should pay this sum within 14 days or face six months in prison. The complainant said that the article was inaccurate, as the judge had given him six months to pay the fine, and if this was not paid, he would be jailed.
The error was significant; the potential custodial sentence was reported as being more than three times longer than that imposed by the judge, whilst also inaccurately reporting that the complainant had only two weeks to pay the fine, rather than six months.
The publication avoided a further breach of Clause 1 (i) by promptly amending the headline to the online article and by publishing corrections which made clear the inaccuracy and set out the correct position.

Questions relating to Clause 1 (Accuracy)

1 Have you taken care to accurately report each significant element of the case, including the identity of the defendant, the nature of the allegations or charges, the plea and the sentence (if any)?

2 Have you correctly distinguished claims that were heard in court (for example, the arguments presented by the parties) from the findings made by the Judge or jury?

3 Have you independently verified any information included in a press release or obtained from another source if it is at all unclear?

Special considerations

Contempt of Court

Reporting on proceedings in open court may, in certain circumstances, be prejudicial, for example, if a defendant has a pending trial for a serious offence but is charged and pleads guilty to other serious, but completely separate offences. The Attorney General's Office for England and Wales, and in Northern Ireland issues Media Advisory Notices for relevant cases where this may be an issue, as does the Lord Advocate and Crown Office in Scotland. Liability under the Contempt of Court Act 1981 is strict.

Social Media

If you post a link on a social media platform to a report on active/ongoing criminal proceedings, you have a legal duty not to breach the Contempt of Court Act 1980. Failure to do so can result in a fine or a custodial sentence.

When posting information related to ongoing criminal proceedings to social media sites, you should therefore consider how best to warn social media users that they must not post related comments that may prejudice a fair trial. Consider removing the ability to post comments altogether.

Questions about social media

1 Have you communicated how material will be presented online to staff?

2 Have you considered the risk of prejudicing the trial?

3 Have you considered turning off comments for your post?

Harassment (Clause 3)

It is common for journalists to approach defendants outside of court to give them the opportunity to comment on their case and to photograph them. However, journalists must not engage in intimidation, harassment or persistent pursuit of a defendant or witness, and must desist if asked to do so.

Failure to abide by this rule could result in a breach of the Editors' Code.
In the complaint of Hale and Sharp v Daily Record, two people complained about the behaviour of journalists outside a court. The complaint was not upheld as the Committee did not find that the photographers had engaged in a persistent pursuit, nor was there a sufficient basis to find that they ignored a request to desist by the complainants.

Hale and Sharp v Daily Record
Two people complained about a reporter and photographer following them as they left a court, apparently preventing them from getting to their car. The complainants alleged the conduct of the reporter and the photographer was threatening and left them feeling upset. The complainants used the hoods of their coats to obscure their faces from the photographer and told him to, "go away, go away".
The publication did not accept that its journalists acted unprofessionally an did not believe that the photographer had prevented the complainants from reaching their car.
Based on the photographs which had been provided by the publication, the Committee considered that there was insufficient basis to find that the publication had failed to respect the request to desist. The complaint was not upheld as IPSO's Complaints Committee was satisfied that the reporter and photographer had not engaged in intimidation, harassment or persistent pursuit under the terms of the Code.

Images

Taking and publishing a photo of someone involved in a court case will not ordinarily be considered to be harassment, as it is in the public interest to identify those accused and convicted of a crime and publishing photographs can be a way to distinguish individuals from other individuals with the same name. Photographs taken outside courts are frequently used to illustrate news stories, particularly as no photography can be taken inside courts or court buildings. The fact that a defendant objects to his or her photo being taken is not, by itself, enough to mean that it constitutes harassment or intimidation. Reporters are entitled to

source their own images of defendants, including from social media, but need to be aware of reporting restrictions relating to anonymity of defendants or witnesses and the law of copyright.

Private Advisory Notices

In some cases, IPSO will contact newspapers and magazine publishers, at the request of an individual, to make them aware of that individual's privacy concerns. These are advisory and IPSO does not have the formal power to stop a newspaper, magazine or website from publishing a story or from continuing to ask questions. However, a privacy notice may be taken into account if a complaint is later brought under Clause 3 (Harassment).

The judiciary and harassment

There is a convention which dictates that judges cannot comment outside a courtroom on any case over which they are presiding, or have presided, or discuss any decision they have made, or any sentence they have imposed. They are also prohibited from commenting on or discussing the decisions of other judges.

As there are no circumstances in which judges can speak to the press about such matters, approaches to judges, or members of their family, by reporters for comments about a judge's involvement in a case may risk breaching Clause 3 (Harassment) of the Code. Any questions should be directed to the Judicial Press Office.

Jurors must also not be approached during a criminal trial and are precluded from speaking about their deliberations in the jury room during and after the trial has concluded.

Reporting of Crime (Clause 9)

Clause 9 is aimed at preventing the friends and family of those accused or found guilty of crimes, from being given adverse publicity. Relatives or friends of a defendant should not ordinarily be identified or pictured in reports of court proceedings unless they are genuinely relevant to the story – or their identification can be justified in the public interest.

A person could be considered genuinely relevant if they were named in court proceedings. If someone attends court to support a defendant, journalists are ordinarily normally allowed to report this.

Singer Jamelia complained to IPSO under Clause 9 after she was named in reports in several newspapers about a man, described as her step-brother, who was convicted of murder. As she had been named in court, she was considered genuinely relevant to the court case and the complaint was not upheld.

Jamelia v The Sun

An article reported that a man, referred to as a singer's stepbrother, had been convicted of murder. It also reported that his lawyers had argued that his name was well known as he was widely associated with his well-known stepsister, and this would prejudice the case. Both articles featured photographs of the singer who was the complainant. She said that she was estranged from the convicted man, and had no ongoing connection to him, and that the familial connection had been reported inaccurately.

The publication said that the complainant was genuinely relevant to story of the man's conviction. It provided a copy of the reporting restriction which the defendant had applied for. The application said that there were "a particularly large number of articles about the defendant given that he is a close relation of a well-known music artist". Once the defendant had been convicted, this reporting restriction was lifted. The publication also said that the complainant had already chosen to associate herself in the public domain with her brother's crimes.

IPSO's Complaints Committee acknowledged the complainant's position that she was estranged from the defendant in this case, and recognised that she had been distressed by the articles. However, Clause 9 does not restrict a newspaper's ability to report on legal proceedings. The complainant had been named specifically in the defendant's unsuccessful application for a reporting restriction, and the newspaper was entitled to report on this. Where the complainant had been identified during legal proceedings, she was genuinely relevant to the story, and there was no breach of Clause 9.

Clause 9 also applies in circumstances where an individual may be identified through the publication of a photograph. In the complaint of Sharp v mirror.co.uk, an article reporting on the sentencing of a woman included a photograph of her being arrested at her home, in which her mother was visible in the background. The mother complained that the photograph identified her as a relative of a person accused and convicted of crime. The complaint was upheld.

Sharp v mirror.co.uk

An online article reported on the sentencing of a woman. The article included a photograph of her arrest, in which her mother, the complainant, appeared in the background, in the doorway of her home. The complainant was not identified by name but believed that she had been identified as a relative of someone convicted of a crime.

IPSO's Complaints Committee concluded that the photo, taken together with the information reported in the article, identified the complainant as a relative or friend of the individual who had been convicted of a crime. The Committee noted that the publication had accepted that the complainant was not genuinely relevant to the story. There was a breach of Clause 9.

Questions relating to Clause 9 (Reporting of crime)

1 Before identifying a friend or relatives of a defendant, have they consented to being identified?

2 If not, are they genuinely relevant to the story (for example, were they named in court)? Or is publication justified in the public interest?

Discrimination (Clause 12)

As in any other kind of report, you must avoid pejorative or prejudicial references to a defendant's race, colour, religion, sex, gender identity, sexual orientation, physical or mental illness or disability. When identifying a defendant in an article, any references to an individual's race, colour, religion, gender identity, sexual orientation, physical or mental illness or disability should be avoided unless the characteristic is genuinely relevant to the story.

In the complaint of Evans v The Argus (Brighton), a defendant's disability was highlighted in the headline of an article. As this was irrelevant to his conviction, it resulted in a breach of the Editors' Code.

Question relating to Clause 12 (Discrimination)

1 Are any references to characteristics covered by Clause 12 genuinely relevant to the story?

Evans v The Argus (Brighton)
A man complained about an article reporting he had pleaded guilty to possessing indecent images of children. The headline and text referred to the complainant's physical disability. When contacted, the newspaper immediately accepted that the complainant's disability was not relevant to the story and should not have been referenced. It said that the article had been written by a trainee, who had made reference to the complainant's disability because it was visible in photographs taken outside court. The terms of Clause 12 (ii) are particularly relevant to cases in which a person is accused or convicted of serious crime, where there is a danger that an unjustified link may be created in the mind of a reader between a person's characteristics and their criminality, even if only by inference. The complainant's conviction was irrelevant to his disability, and referring to it was discriminatory, notwithstanding the fact that the reference itself had not been pejorative. The complaint was upheld, and given the serious nature of the breach, IPSO's Complaints Committee decided that the appropriate remedy was the publication of an adjudication.

Witness payments in criminal trials (Clause 15)

The Editors' Code limits situations where a payment can be made to witnesses in a trial. If court proceedings are active, then there is a total ban on making or offering any payments to witnesses or anybody who may reasonably be called as a witness. Proceedings are active when a suspect is arrested, an arrest warrant or summons is issued, or a person is charged. Proceedings remain active until the trial is over, when a suspect enters a guilty plea, or when a suspect is freed unconditionally. Clause 15 is rarely invoked but it contains important provisions intended to protect the integrity of criminal trials and its provisions should be reviewed in detail if a payment to a witness or potential witness to a trial is contemplated.

The Editors' Code says: "Where proceedings are not yet active but are likely and foreseeable, editors must not make or offer payment to any person who may reasonably be expected to be called as a witness, unless the information concerned ought demonstrably to be published in the public interest and there is an over-riding need to make or promise payment for this to be done; and all reasonable steps have been taken to ensure no financial dealings influence the evidence those witnesses give. In no circumstances should such payment be conditional on the outcome of a trial. Any payment or offer of payment made to someone later cited to give evidence in a court case must be disclosed to the prosecution and defence. The witness must also be advised of this requirement."

The clause is intended to ensure that financial arrangements would not lead witnesses to change their testimony, either by withholding information to try and preserve exclusivity or by exaggerating evidence to increase the value of their story.

Questions relating to Clause 15 (Witness payments in criminal trials)

1 Are court proceedings active?

2 Could the potential recipient of payment reasonably be expected to be called as a witness?

3 If proceedings are not yet active, are they likely and foreseeable?

4 Is there a public interest in making a payment for this information?

5 Is the payment necessary? Could the information be obtained by other means?

Payments to criminals (Clause 16)

Payments to criminals are not absolutely prohibited under the Code. But the Code makes clear that payments or offers of payment must not be made to a criminal if the story would exploit a particular crime, or glamorise crime in general. This includes payments made indirectly via an agent or friends and family.

Editors invoking the public interest to justify payment or offers would need to demonstrate that there was good reason to believe the public interest would be served. If, despite payment, no public interest emerged, then the material should not be published.

Questions relating to Clause 16 (Payments to criminals)

1. Will your article exploit a particular crime?
2. Will your article glorify or glamorise crime?
3. Will a payment be made to a criminal, whether directly or indirectly through an associate?

Reporting of sexual offences (Clauses 7 and 11)

Clause 7 (Reporting of children in sex cases)

Clause 7 specifies that you must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences. Under the law no victim or alleged victim of a sexual offence who is under the age of 16 can waive his or her anonymity, and it also cannot be waived on their behalf by a custodial parent or similarly responsible adult.

To avoid identifying a child, particular care must be taken in cases when there is a familial relationship between the defendant and the victim. The word "incest" must not be used where a child victim might be identified. Victims have potentially been identified by descriptions in reports such as the location in which the offences took place (e.g. the family home) or dates or times of meetings which would imply a particular relationship. There is a public interest exemption to Clause 7, but publishers would have to demonstrate an exceptional public interest to override the normally paramount interests of a child. In the complaint of A woman v lep.co.uk, the information included in an online article implied the relationship between the victim and the defendant in breach of Clause 7.

A woman v lep.co.uk
A woman complained about an article which reported on a court case in which the defendant pleaded guilty to sexually assaulting a child. It described the circumstances in which the assaults had taken place and the defendant was named in the article. The complainant said the article contained details which implied the relationship between the victim and the defendant.
The publication did not accept a breach of the Code. It noted that the article did not name the victim, nor give their age, address, school, or describe the victim's appearance or any distinguishing features. It said that the article did not give the location or timing of when the crimes took place, and said that it could have happened at any point during the defendant's life or in a variety of circumstances. It said the article neither stated, nor alluded to, a relationship between the defendant and the victim. It noted that other information was read out in court and that it deliberately chose not to include this in the article in order not to identify the victim, or the victim's relationship to the defendant.
The Committee recognised that the publication had taken steps to reduce the likelihood that the child would be identified as the victim of the assaults for which the defendant had been convicted. However, Clause 7 (iv) imposes an obligation on a newspaper to take care that nothing in the report of proceedings implies the relationship between the defendant and the victim. The article had reported information heard in court regarding the circumstances in which the offences had taken place which the Committee considered was sufficient to imply the relationship between the defendant and the victim in breach of Clause 7.

Victims of sexual assault (Clause 11)

Clause 11 makes clear that you must not publish material that is likely to lead to the identification of a victim of sexual assault unless there is adequate justification, and you are legally free to do so. Since 2019, Clause 11 applies to newsgathering as well as publication. This change followed a complaint in which a journalist inadvertently disclosed the identities of victims of sexual assault during the course of seeking interviews; the Committee decided that the terms of Clause 11 were ambiguous on whether this conduct breached the Code and recommended that the Editors' Code Committee consider the issue.

It is important to ensure that you do not include seemingly innocuous details which may lead to the identification of a victim of sexual assault, for example, the inclusion of an address where the offence took place or a reference to the relationship between the victim and the accused.

In the complaint of A woman v Airdrie & Coatbridge Advertiser, while the publication had not included information heard in court which it considered might lead to identification, the combination of details which were included in the report, did identify a victim of sexual offences to members of her community.

A woman v Airdrie & Coatbridge Advertiser

A woman complained about an article which reported on the conviction of an individual for sexual offences against two children. The complainant, one of the victims (now adult), said that the article contained details which had identified her as a victim of sexual assault, and that she had been identified by members of her local community. The newspaper said that it took care to remove any excessive information that was heard in court which might lead to identification. The article had disclosed information which included the location in which the offences had taken place, and the defendant and the complainant's association with that location. The Committee considered that the combination of these particular details, alongside the period of time in which the offences had occurred, and the ages of the victims, represented information which would be known to the complainant's community, particularly those who knew the defendant and the complainant, and was likely to lead to her identification as a victim in the case. The complaint was therefore upheld as a breach of Clause 11. The appropriate remedy was the publication of an adjudication.

Jigsaw identification

Jigsaw identification occurs when different pieces of information appear in a publication or in different publications, or elsewhere in the public domain, which allows readers who have seen the reports to identify the victim. You should take all steps to make sure you and your colleagues on the newsdesk are aware of what information has already been put in the public domain by other media outlets and by your own publication in any previous reports on the case, before producing additional reporting.

Witnesses

Witnesses can usually be named and identified, assuming there are no reporting or automatic anonymity restrictions, such as for victims of sexual offences in place.

Revenge pornography

Although publication of "revenge porn" is a criminal offence, it is not one of the offences for which a victim is automatically granted anonymity. Editors may wish to consider whether to identify the victim by name instead of a general description such as "a former girlfriend", unless the victim is willing to be named.

Questions relating to Clause 11 (Victims of sexual assault)

1 What steps will you take to prevent the identification of the victim?

2 What information are you including about the offence that needs to be assessed to ensure that Clause 7 is not breached? This could include, for example: The timing (dates/frequency) of the offences; The location of the offences; How the victim and accused know each other; Demographic information about the victim (age, sex)

3 Could a combination of pieces of information included in the article identify the victim?

4 Could a combination of information in the article and information already established in the public domain (for example, through other press coverage) identify the victim?

5 Has the victim (if over 16) waived their right to anonymity, and if so, do you have their consent in writing?

Special considerations

It is important to identify when you are reporting on a crime that is considered a sexual offence in law. All victims of sexual offences in England and Wales, including children, are automatically by law guaranteed anonymity for life from the moment they make an allegation that they are the victim of a sexual offence. In Scotland there is no specific provision in Scottish law which grants automatic anonymity to victims, or alleged victims in cases tried under Scottish law. However, it is usual practice not to name alleged victims of sexual offences in Scotland.

A number of offences are considered sexual offences in law and therefore, victims are entitled to anonymity. These are listed under the Sexual Offences (Amendment) Act 1992 and include rape, sexual assault, exposure and taking an indecent photograph of a child. Anonymity is also extended to victims/alleged victims of female genital mutilation (FGM), human trafficking and modern slavery.

The right to anonymity applies for the lifetime of the victim, even where the allegation is withdrawn, the police decide to take no action, or the accused is acquitted. Victims themselves can choose to waive their right to anonymity if aged 16 years or over, without the consent of the court. If a victim agrees to be identified, you must have the victim's consent to be identified in writing.

Further information can be found here in IPSO's guidance for reporting sexual offences

The media is free to report the victim's identify in the event of criminal proceedings other than the actual trial or appeal in relation to the sexual offence.*

* Judicial College on Reporting Restrictions in the Criminal Courts (April 2015, revised May 2016)

In the complaint of A woman v The Argus (Brighton), an article reported on the case of a woman who was charged with assault and wasting police time (offences for which she was later acquitted). She complained that she was the victim of a sexual assault and therefore should not have been named within the article. However, the complaint was not upheld as the publication was legally free to name the complainant under the terms of Clause 11.

A woman v The Argus (Brighton)

A woman complained about an article which reported that she was on trial for assault and wasting police time, offences for which she was subsequently acquitted. It stated that the court had heard that the complainant had "assaulted a man after performing a strip dance for him" and "wasted police time when she reported that she was assaulted and sexually assaulted." The complainant said that she was a victim of sexual assault and that this meant that she should not have been named or identified in the article.

The article was a contemporaneous report of a court case in which the complainant was facing charges of assault and wasting police time. The allegation of sexual assault was central to these ongoing proceedings, and the Committee was satisfied that the publication was justified in identifying the complainant as an alleged victim of sexual assault. In these circumstances there was no breach of Clause 11.

Additional Matters: Reporting on children and young people

Clause 9 (Reporting of crime) grants children and young people accused of crime additional protections, beyond those granted by the law. You should avoid naming children under the age of 18 after arrest for a criminal offence but before they appear in a youth court unless you can show that the individual's name is already in the public domain, or that the individual (or, if they are under 16, a custodial parent or similarly responsible adult) has given their consent. This does not restrict the right to name juveniles who appear in a Crown Court where no reporting restriction has been made, or whose anonymity is lifted.

There is a discretionary power under section 45 of the Youth Justice and Criminal Evidence Act 1999 to restrict reporting any matter which may lead to the identification of victims, witnesses and defendants under the age of 18 who appear in Magistrates' Courts and the Crown Court.

Questions relating to reporting restrictions and children

1 Has the court specifically imposed any reporting restrictions?

2 Are you aware of the different prohibitions on reporting, either arising from reporting restrictions imposed in the case or automatically by law?

Youth courts and young people

Journalists are allowed to report on proceedings which take place in youth courts. However, you are automatically restricted from reporting the identity of, or any details that would lead to the identity of, any child or young person involved in the proceedings, whether as a defendant, witness or victim.*

Reporting restrictions are likely to be imposed so as to grant anonymity to victims, witnesses and defendants under the age of 18 in criminal court proceedings in the magistrates' and Crown Court. Such restrictions may cover not only a child's name, but also address, school details or an image.

IPSO does not enforce reporting restrictions, but the existence of a reporting restriction might be relevant to a complaint about intrusion under the Editors' Code. Breaching a reporting restriction is also likely to be a contempt of court.

Additional matters: Communication in court and access to remote hearings

Photography and filming in courts and tribunals by journalists is strictly forbidden, under the Criminal Justice Act 1925, as is making a portrait or sketch of any person in court. It is also not permitted to photograph, film or sketch people in the court precincts (the area around the court building which is not a public space).

Since the pandemic, the Cloud Video Platform (CVP) system has been in place in criminal courts in England and Wales. Reporters can follow court cases remotely, which means that cases at different courts can be followed on the same day, more easily than by attending in person. Access is at the discretion of the judge, and you may need to explain why you want to attend remotely when the option to attend in person exists. At other courts hearings may be conducted using services such as Microsoft Teams.

Journalists have been allowed to post social media updates or live blog during court cases, without making a formal application to the judge first since 2011. However, mobile phones must be set to silent, and you must not make recordings or take photographs in court. When liveposting, it is important that you do not reveal any information which may breach reporting restrictions. The judge may withdraw or limit permission, particularly if there are reporting restrictions in place. The media does not have an automatic right to challenge this. Members of the public (including student journalists, citizen journalists and work experience trainees) who wish to use live text-based communications must make an application, for example, through the court staff before the trial.

* Section 49 of the Children and Young Persons Act 1933, as amended by Youth Justice and Criminal Evidence Act 1999 Sch 2

When posting or live blogging, follow the guidance above as you would for an article written contemporaneously with the court case. Make sure you do not post:

- Anything said in the jury's absence.
- Links to pre-trial stories about the case.
- Anything that could reveal the identity of someone who has anonymity.

Further resources

Information about contempt of court
The Attorney General's Office regularly provides media advisory notices in relation to ongoing legal proceedings in England and Wales.
Scottish Courts and Tribunals Service Reporters Guide
The Crown Office and Procurator Fiscal Service (COPFS) - Scotland's public prosecution service and death investigation authority

HM Courts and Tribunals Service

General guidance to staff on supporting media access to courts and tribunals (PDF) (This is guidance for HMCTS staff on how to assist journalists).
HMCTS Press Office is undertaken by the MoJ press office. During office hours, contact MoJ press office on 020 3334 4872 or for all out of hours activity use 020 3334 3536.
Where the judge or magistrate is the focus of media interest rather than a case or a court, then the media should be referred to Judicial Press Office. The Judicial Press Office is part of the Judicial Office and is independent of HMCTS and the MoJ. The Judicial Press Office 24-hour contact is 020 7073 4852.

Media law

McNae's Essential Law for Journalists (Paperback)

IPSO guidance and information for the public

Guidance on reporting sexual offences
Court reporting – what to expect
Contact with the media: Support for survivors of sexual offences

We can provide non-binding, 24-hour pre-publication advice on the Editors Code if there are any concerns about articles prior to publication.

Contact us

During office hours (9am to 5pm):
0300 123 22 20

24-hour pre-publication advice:
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