**Live Streaming Court Proceedings**

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November 4, 2023

Live-streaming court proceedings has become an increasingly common practice worldwide, reflecting various procedures and policies regarding the use of cameras in courtrooms. Pakistan has been slow to allow cameras in courtrooms; the practice became legal only a month ago when the newly appointed Justice Isa decided to allow live broadcasting of supreme court proceedings under the Supreme Court (Practice and Procedure) Act 2023.

Around the world, countries like Japan impose stringent limitations on courtroom broadcasting, countries like the UK are making notable efforts to make court proceedings more accessible to the public and those like the US, where audio and video recordings are a norm.

Live-streaming provides easy access to justice for most. It makes the legal process more transparent by allowing public scrutiny and accountability where much is done behind closed doors. The presence of an audience, even a virtual one, acts as a much-needed check on the behaviour of legal personnel and unwarranted judicial leniency. Apart from preventing abuse of power and corruption within the legal system, broadcasting court proceedings also serves as a valuable educational resource for law students, young lawyers, and even laypersons. This would contribute towards homogenised legal systems worldwide and act as a deterrent to criminals by informing them of the consequences of crime.

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Furthermore, it encourages citizens to engage with their legal system actively and promotes their informed participation. So, even people lacking the means or time to attend court hearings physically can follow the proceedings remotely, a development especially significant for specially-abled individuals, women, and people living in remote areas. As for lawyers, not having to attend court hearings in person leads to efficient legal representation for clients as they can direct their physical and mental resources towards cases that mandate physical presence or additional attention.

One of the biggest concerns with broadcasting court proceedings is that it could have a counterproductive effect by reducing the public’s trust in the judiciary, an extremely plausible concern due to the impossibility of controlling the people and the media’s interpretation of legal proceedings. As such, we must keep social and legal consequences that can materially affect a court’s work in mind when supporting live streaming court proceedings. To understand this, we must consider ‘The Surrogacy Effect.’

The concept of the surrogacy effect was modelled after parasocial interactions (PSI) in the traditional media era. It refers to the pseudo-friendship forming as a direct consequence of the virtual experience of conversing with a media personality. This concept can be vis-à-vis be applied to live streaming court proceedings, which display interpersonal interactions between legal characters and litigants. Evidence gathered from years of study on the surrogacy effect shows that the behaviour of legal authorities/ judges/ jury towards litigants influences the public’s perception of justice and confidence in its deliverance.

Conversely, the influence of public attention on judges and jury remains largely unstudied. This question becomes extremely crucial when dealing with sensitive cases such as those relating to domestic violence, the rights of marginalised communities, or blasphemy. The highly publicised Johnny Depp vs Amber Heard trial is the most recent example of this phenomenon, resulting in an unprecedented social media frenzy following the judge’s decision to live-stream the trial. Users shared clips of Depp and Heard with editorialised graphics and texts in a highly selective manner, taking evidence and testimonials out of context. The videos were watched by millions of clueless viewers, resulting in it being one of this decade’s most misconstrued legal battles. This kind of excerpting is extremely harmful as it only highlights the prosecution’s perspective, incites negative public opinion of the defendant, and seriously prejudices expected jurors.

Implementing preventive measures and safety protocols is the fastest way to eliminate any factors that can curtail the deliverance of justice. To prevent an invasion of privacy, courts should redact or keep confidential all personal and sensitive information, especially regarding victims, witnesses, and jurors, before public live-streaming. The courts should implement a slight time delay to enable real-time moderation or censorship, where necessary. Secure distribution channels should be used, and high-quality audio and video should be maintained to avoid misunderstandings. The rights and protection of vulnerable individuals like victims of domestic violence, child abuse, and sexual assault should be given utmost importance. Audio streaming should be preferred over video broadcasting to preserve the victim’s privacy. Finally, strict judicial neutrality should be maintained to ensure the legal authorities’ impartiality.

The practice of live-streaming court hearings is only growing as more and more people and authorities recognise its benefits. A wider adoption may expand the kinds of cases that can be broadcasted, such as civil, criminal, and appellate cases under the jurisdiction of the High Court. Soon, viewers may be allowed to ask questions or request additional information during the proceedings.

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