

News Broadcasters Association

Specific Guidelines for Reporting Court Proceedings

In addition to the Specific Guidelines Covering Reportage dated 10th February 2009, the News Broadcasters Association hereby frames the following guidelines to be called the “Specific Guidelines for Reporting Court Proceedings”

1. A news report in relation to a proceeding pending in a Court, Tribunal or other judicial forum shall be neutral and balanced, giving the version of all, or substantially of all, parties to the proceedings.
2. In reporting any Court proceedings, whether in a civil or criminal matter, a news channel shall not identify itself with, or project or promote, the stand of any one contesting party to the dispute.
3. Conjectures and speculation shall be avoided in news reports relating to proceedings pending in a Court, Tribunal or other judicial forum.
4. Except where a Court, Tribunal or other judicial forum conducts proceedings *in-camera* or expressly directs otherwise, it shall be open to a news channel to report on pending judicial proceedings provided the report so broadcast is an accurate, authentic and correct version of what has transpired in Court ; and is fair and reasonable to the contesting parties.

Provided however, that no news channel shall broadcast anything:

- (i) Which is in the nature of a running commentary or continuing debate (including oral comments made by the Court, Counsel, litigants or witnesses during Court proceedings) which do not form part of the record, when proceedings are pending in the Court, Tribunal or other judicial forum;
- (ii) Which purports to report a journalist’s or the news channel’s own opinion, conjectures, reflections, comments or findings on issues that are *sub judice* or which tend to be judgmental in relation to the subject matter that is pending in a Court, Tribunal or other judicial forum;
- (iii) Which is a comment on the personal character, culpability or guilt of the accused or the victim; or
- (iv) Which otherwise interferes or tends to interfere with, or obstructs or tends to obstruct, the course of justice in connection with any civil or criminal proceeding pending in a Court, Tribunal or other judicial forum;

- (v) Which may amount to contempt of Court;
5. No news in relation to any proceedings pending or concluded in a Court, Tribunal or other judicial forum shall be broadcast unless the reporter and/or editor have adequately ascertained the accuracy, authenticity and correctness of what is reported, preferably from Court records, or at the very least, by being personally present during such proceedings. In addition to the reporter's responsibility, the executive head of the editorial operations of the news channels shall also be accountable for the accuracy, authenticity and correctness of what is broadcast in relation to proceedings pending or concluded in a Court, Tribunal or other judicial forum.
 6. After registration of a First Information Report (FIR) in respect of any crime, a news channel shall not broadcast any report that may evaluate, assess or otherwise give their own conclusions upon, or in relation to, ongoing investigation or evidence collected or produced before a Court, Tribunal or other judicial forum.
 7. While a news channel may, in public interest, make a fair comment on any judicial act, including any Order or judgment rendered by a Court, Tribunal or other judicial forum, a news channel shall not cast personal aspersions upon, or impute improper motives, personal bias or lack of integrity or ability to a judge or member of a Tribunal or other Authority ; nor shall a news channel report anything that may scandalize a Court or the judiciary as a whole.
 8. News channels shall eschew suggestive guilt by association and shall not name or otherwise identify family members, relatives or associates of an accused or convict, unless such reference is directly relevant to the subject matter of the report.
 9. A news channel shall report upon any proceedings pending in any Court, Tribunal or other judicial forum, in a manner so as to clearly distinguish between "facts" (as then available in the public domain) and the "allegations" being made by parties to such proceedings.

Place : New Delhi

Dated : September 15, 2010