

# ROYAL COURT OF JERSEY

## RC 20/11

### **Access to Court Files in Civil Proceedings**

This Practice Direction sets out the general approach to be taken when anyone wishes to seek access to a court file. It applies to all parties to any civil proceedings to any media accredited by the Royal Court or to any member of the public seeking access to a court file.

#### **General**

The guidance in this Practice Direction is however subject to any order a judge may make in any case directing that a case or part of a case is to be heard in private or that all or any part of any evidence filed or documents referred to in court are to remain private.

No one may request copies of any communications or documents internal to the Royal Court or the Judicial Greffe including drafts of any orders or judgments or notes taken by any judges or officers of the Court during any hearing.

All matrimonial and children proceedings and any evidence or documents supplied in the course of such proceedings will be in private unless the court orders otherwise.

## **Parties**

A party to proceedings may, unless the court orders otherwise, obtain from the court files a copy of any:-

- a. Application for the appointment of a Guardian ad Litem;
- b. any pleadings;
- c. any affidavit or witness statement where that party has been served within the course of the proceedings;
- d. any Court order;
- e. any application issued by a summons other than an application that the identity of a party or witness should not be disclosed;
- f. any judgment;
- g. any cost budget;
- h. any list of documents;
- i. any notice of a payment into court;

For any other document filed; or referred to in any court hearing, a copy of any such document may be requested by written application to the Judicial Greffier. The request should set out all reasons why the document is required.

On any such application by a party, the party may be charged a reasonable fee by the Judicial Greffier for the provision of any document permitted to be disclosed in hard copy or electronic format.

## **Accredited Media**

For the purposes of this Practice Direction accredited media shall mean any media organisation accredited by the Judicial Greffier. Any decision of the

Judicial Greffier on which members of the media may be accredited shall be a matter of discretion and the Judicial Greffier's decision shall be final (subject to any right of judicial review).

Any representative of the accredited media may apply to the Judicial Greffier for copies of any pleadings, once pleadings have finalised in a particular action.

Following any hearing or trial any member of the accredited media may apply to the Judicial Greffier for copies of any court orders issued during the proceedings or any evidence or documents referred to in the course of any such hearing or trial of the proceedings at any time.

Any such application should be in writing. On any such application the applicant shall be required to pay such reasonable fee as the Judicial Greffier may determine.

### **Other Applicants**

Any other person may apply for access to a court file for copies of any pleadings filed, court orders issued or for evidence or documents referred to in a public court hearing. Any such application shall also be in writing. On any such application the person applying must set out all reasons why copies are being requested.

On any such application the Judicial Greffier may convene any other interested person to the application before deciding whether or not to release any documents requested.

If the Judicial Greffier agrees that any document requested may be released, the person applying shall pay such reasonable fee for the provision of any document to be released to that party as the Judicial Greffier may determine.

This Practice Direction shall come into force on 1<sup>st</sup> day of September, 2020.