

# ROYAL COURT OF JERSEY

## RC 25/01

### Broadcasting Royal Court Sentencing

#### 1. **Introduction**

This Practice Direction applies to the recording and broadcasting to members of the public of a recording of sentencing remarks in the Royal Court made by a judge of the Royal Court.

#### 2. **Guiding principle**

The Royal Court is committed to the principle of open justice which is achieved by holding all criminal proceedings in public in open court, except where it is strictly necessary not to do so as such publicity may prejudice the interests of justice. In developing that principle, a decision has been made that it is appropriate in certain circumstances for sentencing remarks to be broadcast.

#### 3. **Fair and accurate reporting**

Any report or presentation of proceedings that includes a broadcast of the sentencing remarks must be fair and accurate having regard to the overall content of the report or presentation and the context in which the broadcast is presented. The broadcast of sentencing remarks must not be for political purposes, advertisements, entertainment or satire.

#### 4. **Application process**

Broadcasting of sentencing remarks may take place either as a consequence of a decision of a judge (with the agreement of the Bailiff), or pursuant to a request made by authorised media (Bailiwick Express, Jersey Evening Post, ITV News Channel, BBC or Channel 103). Any requests should usually be made no less than five working days before the sentencing hearing, with the judge making a provisional decision on the matter communicated to the requesting party at least two days prior to the hearing, and a final decision on the day of the hearing. Whether to grant a request will be a matter of discretion. Broadcasting of sentencing remarks will remain the exception and not the rule and will generally only be permitted in cases before the Superior Number where

there are particular circumstances warranting the broadcast, although there may be exceptional cases where it is appropriate to broadcast sentencing remarks of the judge in sentences determined by the Inferior Number. There is no right of appeal against the judge's decision. The parties to the relevant Court proceedings will not be entitled to make representations, but it is likely that in cases of sexual offences the judge may wish to obtain the views of victims, via the Attorney General, prior to making a decision.

**5. Use of footage**

The authorised media parties may broadcast footage of the sentencing remarks either on television, radio and / or online but must make the complete footage of the sentencing remarks (or as edited to comply with reporting restrictions or legal requirements) available online within one working day of the hearing, and will cease to make the footage available by, at the latest, the time (if any) the conviction becomes spent under the Rehabilitation of Offenders Law (Jersey) 2001. The footage of sentencing remarks will not be broadcast live but will generally be approved for broadcast the same day, after the Court has had the opportunity to edit footage (if necessary) in accordance with any directions of the judge.

**6. Copyright**

Recording of Royal Court sentencing remarks is to be carried out by a person who (1) is permitted in writing by the Bailiff to record such sentencing remarks in Court and (2) assigns any copyright in the recording of those remarks to the Royal Court.

**7. Sharing of recorded material**

Recording for the purpose of a subsequent broadcast should be undertaken by one media party only. The broadcast material must be shared in an accessible way amongst the media parties listed above wishing to broadcast on their respective platforms or additional media parties with the approval of the judge.

**8. Camera and equipment**

Recording is only of the judge when making sentencing remarks and only with the permission in writing of the judge in accordance with any conditions imposed by the judge. The equipment must be operated by no more than one

camera operator and one sound technician. Access to the Court will normally be granted to the media party at least one hour before the start of the Court hearing which will include the sentencing to allow the media party to set up the equipment and run soundchecks. Only the judge and the sentencing remarks themselves may be recorded – no other Court users may be filmed, including Jurats, Advocates, defendants, victims, witnesses, Greffiers and other Court staff.

This Practice Direction is effective as from 2pm 3 December 2025.