



Instructions





Effective Judicial Communication in the New Media Age

International Conference organised by Res Iudicata and Károli Gáspár Református
Egyetem
Budapest, 21-22 November 2024

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Judge in Portugal, Former President of MEDEL

Use of social media - do you have it?

Facebook

Facebook, X, Insta, youtube

Facebook, Instagram, TikTok and YouTube

Facebook

Facebook

Instagram

Yes, LinkedIn

Facebook, Instagram



Use of social media - do you have it?

LinkedIn

Yes but mainly passive consumer

Facebook, Instagram, YouTube

Facebook

LinkedIn Face book

Instagram

Yes! FB, Instagram, Youtube

TikTok



Use of social media - do you have it?

No posting just following on X and Insta

Facebook, youtube, instagram

Nincs

Linkedin

LinkedIn

Facebook

All social media





In your opinion, courts should have: Webpage; Facebook; X/Twitter; Instagram; Live streaming of hearings on Youtube; None; All

45 responses





Do Courts need a communication Strategy?

1. State of Play
2. The new social/political reality
3. Communication by Courts
4. Communication by Judges - the role of judicial associations



Superior Courts Network Focal Points Forum - June 2024 - Judicial communication strategies: contemporary challenges

- higher courts not well known to the general public
- in some cases: confusion between courts / State institutions
- significant variance in the presence of press units: no personnel; just one; whole department
- certain participants - no funding to have adequate press unit; had to stop certain communications due to funding issues



The new social/political reality

- John Bell, *Judiciaries within Europe - A Comparative Review*, Cambridge University Press, 2006, p. 12
- Legal Community and Political Community were communication filters for the Judiciary
- Communication was made through legal community / traditional media
- Institutional forbearance - self-control, restraint and tolerance (Levitsky/Ziblatt, *How Democracies Die*)

 **Elon Musk**  
@elonmusk

Segui

This is unacceptable. Do the people of Italy live in a democracy or does an unelected autocracy make the decisions?

Traduci post

 **Ian Miles Cheong**   @stillgray · 11h

Giorgia Meloni's government in Italy will not be allowed to deport illegal aliens according to judges who just ruled against her decision.

They cited how Egypt has a poor human rights record and therefore sending illegals from Egypt back to their home country would potentially *Mostra di più*



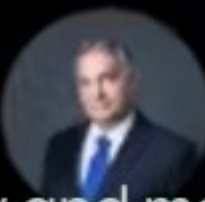
Political community and media (traditional and new/social) are no longer filters



Giorgia Meloni's vendetta against Italy's judges

The right-wing prime minister has a "strategy" to discredit, frighten and silence critics, from the media to the judiciary, says a famous Italian journalist.

▶ LISTEN  SHARE



Orbán Viktor  @PM_ViktorOrban · 14 de nov

I could not believe yesterday's news about @MLP_officiel. Marine, please remember we are with you in this battle! And don't forget: being harassed by the judiciary was a crucial step towards victory for President @realDonaldTrump.

245 1 mil 8 mil 225 mil



Suicida explode-se porque queria matar juiz brasileiro



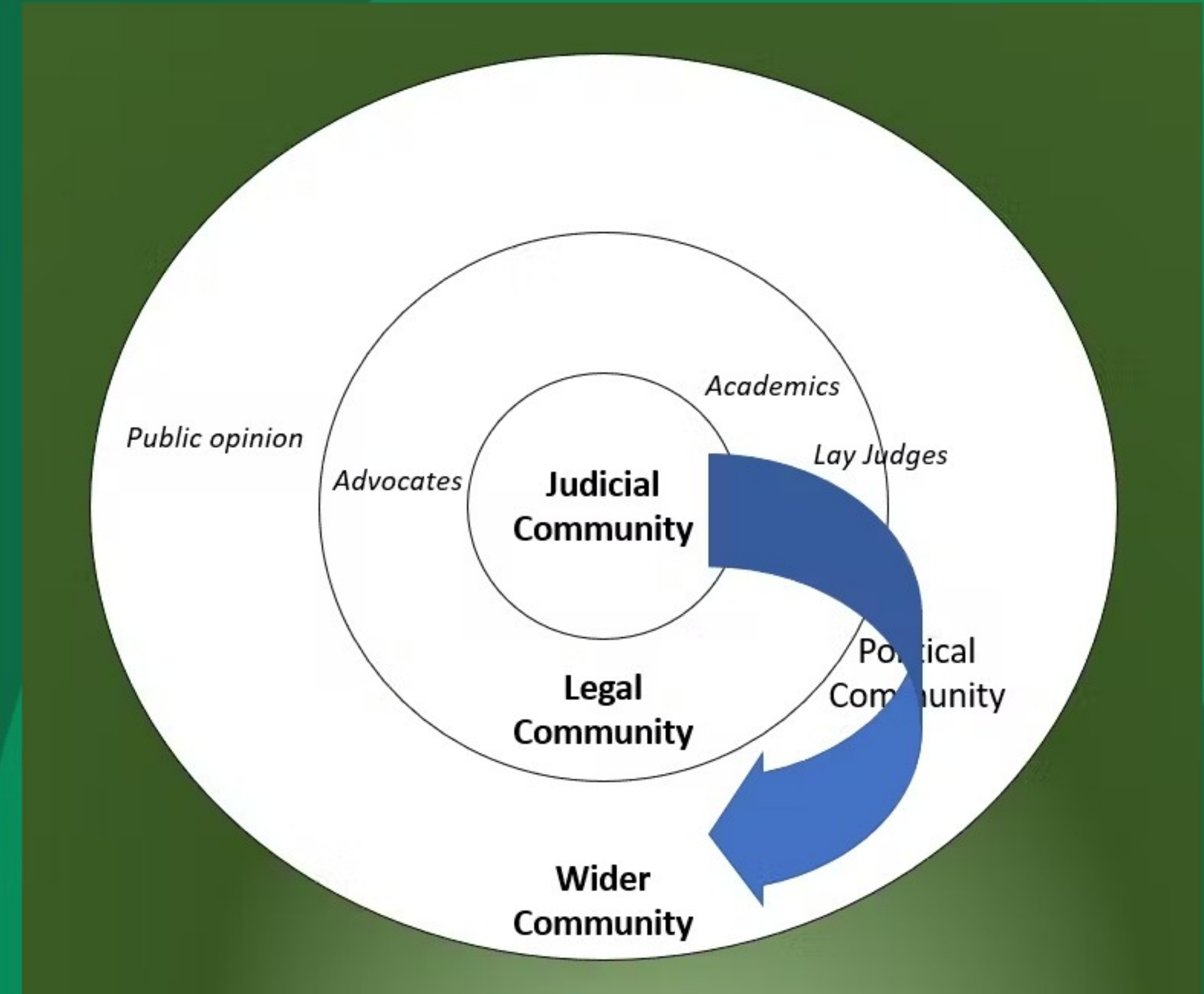
BRASIL Um apoiante de Jair Bolsonaro, Francisco Wanderley Luiz, vestiu-se de Joker, na noite de quarta-feira, carregou vários explosivos consigo e deixou outros na mala de um automóvel e num apartamento na periferia de Brasília. Dirigiu-se ao Supremo Tribunal Federal porque pretendia matar o juiz Alexandre de Moraes, mas acabou por se explodir a si mesmo. E o corpo ficou 13 horas à espera de ser recolhido.

Polarisation and Radicalisation



Traditional communication filters no longer work

Judicial Community needs to bypass the filters and start communicating directly with the wider community: *"if someone is telling your story and you're not there, you cannot control it"*.





Developing a communication strategy for Courts - challenges

- hermetic and overly technical language
- increasingly long decisions
- court timings not suited to the voracity of media / social media
- judges are not used to (and lack the skills to) explain their decisions to the general public

Motion denied.



Communication Strategy for Courts

ECHR 2024 SCN Focal Points Forum

- "strategy" cannot mean "selection of information";
- no "one size fits all" solution: depends on size of country, size of court, available funding, existence of specialised media on justice, etc.;
- importance of issuing press-releases and reports, either prepared or reviewed by judges;
- publication of decisions (anonymised), as a way of giving direct information to the public;
- in some countries, preferred communication is with journalists specialised in the judiciary;
- many countries live-stream hearings;
- AI is an opportunity: anonymization and summaries of decisions; user-friendly search-engines of decisions.



Communication Strategy for Courts - points of divergence

- Should judges communicate directly (interviews/social media)? Or should "court decisions speak for themselves"?
- Use of social media by Courts - all have website, but SM is not unanimous;
- Different platforms / Different targets/audiences (Instagram - young people; LinkedIn - Legal professionals)?
- Benefits of SM: reach a wide audience; target specific groups; have the court's voice heard in debates;
- Risks : internet 'trolls' and hate comments; cyber-attacks and hacking; algorithms promoting certain contents.





Communication by Judges?

- duty to explain vs duty of reserve
- secrecy of deliberation
- risk of going beyond the reasoning of the decision





Communication by Judges - the role of judicial associations

44. Associations of judges are particularly well placed to play a role in informing the media and the general public about the work and priorities of the judiciary (...).

45. (...) associations of judges contribute in a significant and effective manner to (...) fostering the relations and the understanding between the judiciary and the public, such as court education programmes, information materials, open court events, public debates, presentations, other outreach programs etc. Such measures are most effective if they are exercised by those who work in the system. Associations of judges should (...) involve themselves in these activities. (...) organise conferences, exercise pro-active media policies and make use of social media in their work, steps that the CCJE welcomes.



CCJE(2020)2

Strasbourg, 6 November 2020

CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)

CCJE Opinion No. 23 (2020)

**The role of associations of judges
in supporting judicial independence**

How member States should deal with associations of judges



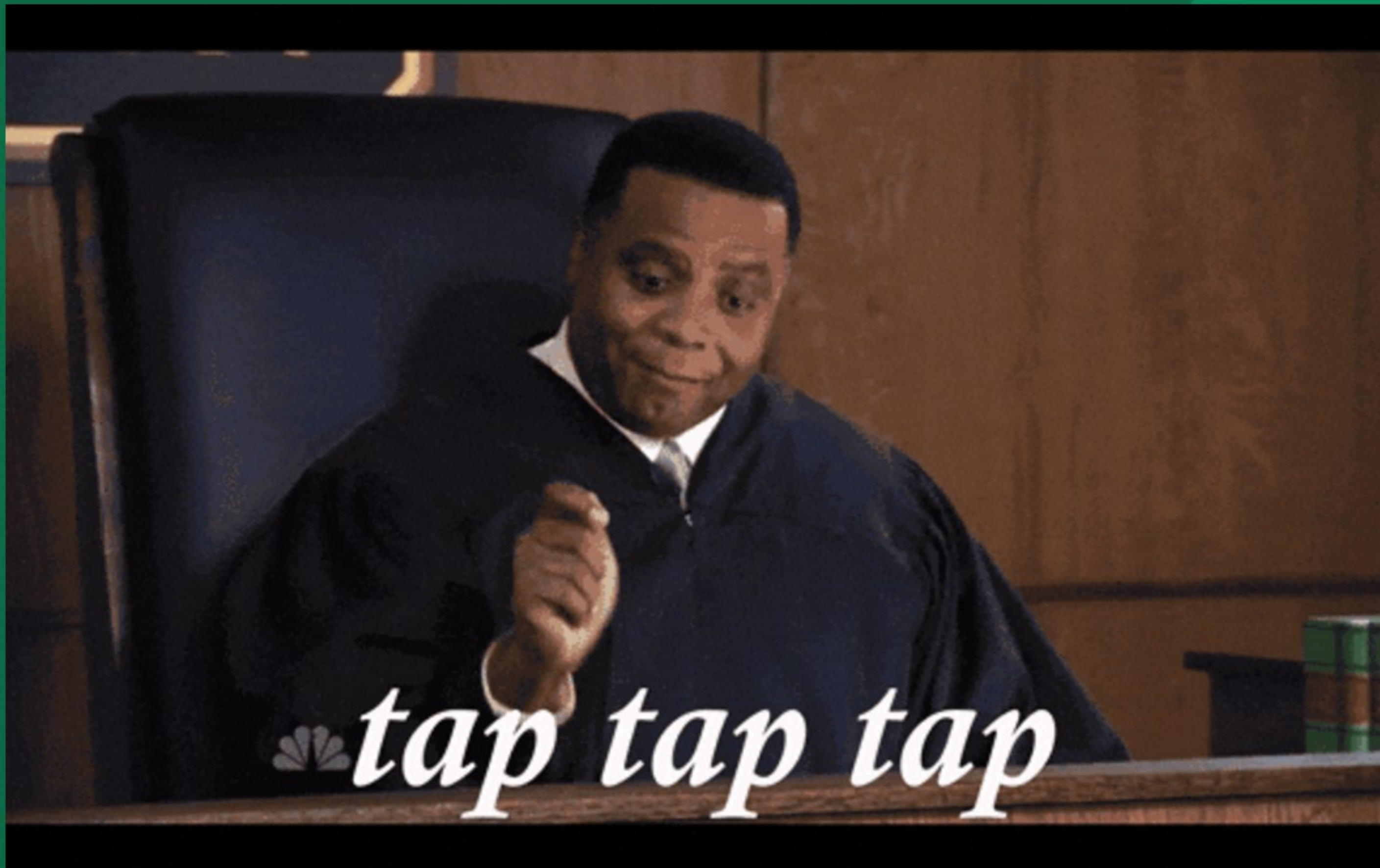
79. States must not only refrain from applying unreasonable indirect restrictions on the right to assemble peacefully and to associate and on the right to freedom of expression but must also safeguard these rights.

80. Member States should therefore provide a framework, which makes it possible for judges to freely exercise their right to associate and within which associations of judges can fruitfully work to fulfil their objectives.

(...)

82. Politicians should refrain from trying to influence judges or their associations to support interests of party politics neither by threats, unjustified accusations or media campaigns nor by providing professional promotions or benefits for the officers or the members nor by other means.





Thank you for your attention.