



Each case is unique and must be considered on its merits. It is for the person appointed to determine the case to satisfy him/herself that the application of the practice contained in this note is appropriate to the circumstances of the case. A reporter who intends to depart from the guidance should advise a Principal or Assistant Chief Reporter so issues emerging can be considered for future case work

<p>Guidance note:</p>	<p><b>Recording, filming or using social media to comment on oral proceedings</b></p>
<p>DPEA practice:</p>	<p>From time to time requests are made for permission to make a sound recording of or to film or broadcast a pre-examination meeting or a hearing or inquiry session. Requests may be made by one of the parties entitled to attend the session, by a member of a media organisation, or by a member of the public.</p> <p>Such requests should be dealt with on a case by case basis having regard to the objective of securing that the appeal, or any stage of the appeal, is conducted efficiently and expeditiously in accordance with Regulation 10 of the Appeals Regulations and the wide discretion conferred by the Hearing Session and Inquiry Session Rules.</p> <p>You should consult the persons entitled to attend the hearing or inquiry session on any such request. Other relevant factors include the purpose for which the recording, filming or broadcast is to be made; how the proposed recording or filming would be undertaken; whether any proposed witnesses or participants in the hearing or inquiry session object to being recorded or filmed and the basis for that objection.</p> <p>By way of a general guide, permission may be given to one of the parties to a hearing or inquiry session to make a sound or video recording of that session where this does not interfere with the proper administration of the appeal or prejudice any of the other parties to the appeal.</p> <p>The broadcast of proceedings would not generally be appropriate as this is inconsistent with the informality of appeal proceedings and the efficient conduct of the appeal. Members of media organisations or broadcasters who wish to make a request for permission to record or film proceedings should be advised to make a formal application well in advance of the hearing or inquiry session so that the parties involved in the session can make representations about this.</p> <p>Private recording or filming by members of the public would not generally be permitted as this could be disruptive and would undermine the efficient administration of the appeal.</p> <p>Occasionally, parties attending a hearing or inquiry session may post comments on Twitter or other social media during the proceedings, commenting on what a particular witness is saying. This may cause a difficulty if disparaging or derogatory comments</p>

	<p>are made, as it could be intimidating for the witness. If this practice causes difficulties, reporters will request parties to respect the proceedings and cease making such comments. This would not, of course, prevent anyone attending a hearing on inquiry session from posting factual or neutral comments if they wish.</p>
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	<p>Each application must, of course, be dealt with on its merits.</p>
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