

## **RIGHTS OF WOMEN RESPONSE TO THE DEPARTMENT FOR CONSTITUTIONAL AFFAIRS CONSULTATION PAPER ON BROADCASTING COURTS.**

### **Background**

Rights of Women is an Industrial and Provident society, which was founded in 1975 to promote the interests of women in relation to the law. We run a free, national confidential telephone legal advice help line for women. We specialise in advising in family law, especially domestic violence and Children Act matters. Rights of Women works to attain justice and equality by informing, educating and empowering women on their legal rights. We are a membership organisation and our activities include producing publications, organising conferences and training courses and undertaking policy and research work.

Rights of Women strongly disagree with the broadcasting of courts. We have a number of concerns about the concept of opening up the courts to this form of media.

We are not convinced that broadcasting of courts will have any educational benefits and/or would improve confidence in the judicial system. There is no evidence available to suggest that broadcasting would lead to an improvement in the administration of justice. We do believe that justice could be improved through better training of judges, lawyers, court officials and all those involved in the legal process. Confidence in the judicial process is more likely to be enhanced further through positive initiatives such as diversity in judicial appointments and closer scrutiny of judicial pronouncements.

We do not accept that broadcasting would contribute anything significant to the public's understanding of the court system. We believe there are other options available such as attending the courts public gallery, teaching children from an early age about the court system or having open days which the public could attend. We are concerned that broadcasting courts will only enhance voyeuristic tendencies.

The ordeal of being on television is a nerve racking experience at the best of times. We question whether it is fair to expose people to this added pressure. The right to a fair trial should not be jeopardised by arguments of how or whether the presence of cameras influenced the outcome.

We are particularly concerned about the impact of broadcasting in sexual and domestic violence cases. Many survivors of rape state that the experience of recounting their ordeal is as traumatic as the rape itself. With the appalling low rate of reporting and convictions for rape, women's confidence in the justice

system is low. We do not believe that subjecting these women to public scrutiny through broadcasting is a sympathetic and sensitive response.

We are also concerned about the possible impact of broadcasting on particular groups of women. Regrettably, the consultation paper fails to address issues of diversity and the impact of broadcasting on different communities. Women from certain religious communities consider having their photographs taken offensive. Broadcasting would be an anathema to them. Similarly a lesbian's right not to have her sexuality broadcast should be respected. For example in a case involving homophobia and/or same sex violence.

Finally, participation in the court process should not place anybody at risk. Extreme groups are already known to target individuals they disagree with. Broadcasting may increase the risk of targeting of court personnel, judges, witnesses and juries.

We hope these comments are useful and serious consideration is given to our concerns.

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