FIRST STUDY COMMISSION

Answers to the questions

1. No.

There is only a following rule that concerns the public generally:

Act on the Publicity of Court Proceedings in General Courts Chapter 4 Section 21 – Recording of the oral proceedings

(1) In open proceedings, someone other than the court may take a photograph, tape record and in another manner record and transfer video and audio signals by technical means only with the permission of the chairperson and in accordance with his or her instructions.

(2) Permission for recording before the beginning of consideration of the case or when the decision of the court is pronounced may be granted if

(1) the recording does not cause significant detriment to the protection of the privacy of a party or another person and it does not endanger his or her safety; and

(2) there are no other weighty reasons comparable to those in paragraph 1 for refusing permission.

(3) Permission to record other parts of court proceedings may be granted if the conditions provided in subsection 2 have been met and in addition the recording causes no detriment to the undisturbed progress of the oral proceedings and the participants in the court proceedings consent to the recording.

2. See number 1
3. See number 1. Judges or other court officials has no right to control what might be televised.
4. No, judges as professionals can avoid that risk.
5. Most of the judges are opposed to televising or otherwise taping court proceedings, because oral hearings are mainly public and everyone who is interested can follow the proceeding in the court.
6. It's hard to say. I haven't see any research of that.
7. No
8. See number 7
9. It is possible to ban the use of all communications in the courthouse. It is no possible to bar the public and the media from the court room, if they don’t disturbe the proceeding.
10. No
11. C
12. Yes, it must be achieved without limiting freedom of speech or publicity of proceedings
13. Designated persons. It is important that the person is educated to that task.
14. A and b
15. No
16. No
17. Generally the chiefjudge or the presidents of the higher court can answer.
18. The court doesn’t respond to the criticisms of the named case. In general can the chiefjudge or the president of high court respond.
19. It wouldn’t cause any remarkable consequences for judicial indepence. It is more a question of ”industrial peace” and legal equality.

With kind regards

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