



PROTOCOL ON PHOTOGRAPHY AND VIDEO RECORDING IN THE PROVINCIAL COURT OF NEWFOUDNLAND AND LABRADOR

1. Purpose

This Protocol sets out the guidelines for the use of photography and video recording devices inside both courthouses and courtrooms of Provincial Court of Newfoundland and Labrador. Its purpose is to:

- a) avoid obstruction and allow free movement of courthouse users;
- b) avoid harassment of courthouse users with cameras and microphones;
- c) protect litigants and witnesses by reducing the nervousness and anxiety that they feel when appearing or testifying in court;
- d) ensure safe access to courtrooms of persons involved in court proceedings;
- e) ensure public and media access to judicial information; and
- f) maintain order, security and decorum in places where justice is administered.

2. Definitions

- 1) Camera: any device which can produce a still image or record video including, but not limited to, cameras (both film and digital), cellular telephones and tablets.
- 2) Transmit: The dissemination of information via television, radio, internet or other electronic means, including but not limited to e-mailing, blogging, tweeting, texting and posting on Facebook or other social networking sites.

3. Application

- 1) *General* – This Protocol applies to all persons attending a location where proceedings of the Provincial Court of Newfoundland and Labrador are being conducted or transmitted, including proceedings via videoconference or teleconference.
- 2) *Judicial Orders* – The presiding judge retains overriding responsibility to maintain courtroom decorum and to ensure that court proceedings are conducted in a manner consistent with the proper administration of justice.

4. Publication Bans

Any person using a camera in a courthouse or courtroom of the Provincial Court of Newfoundland and Labrador has the responsibility to comply with any publication bans, sealing orders, or other restrictions imposed either by statute or court order.

5. Use of Cameras – Civil, Family and Criminal Matters

1) In the Courtroom:

The use of cameras to produce a still image or record video or transmit an image or video is permitted in the courtroom when the court is not in session but is **NOT** permitted when the Court is in session except where the presiding judge orders otherwise.

2) In Family Proceedings (including Child Protection matters):

The use of cameras to produce a still image or record video or transmit an image or video is **NOT** permitted in the courtroom except where the presiding judge orders otherwise.

Notwithstanding the forgoing, the use of cameras is permitted during a ceremonial proceeding in the Court such as a wedding, a swearing-in or a call to the bar.

3) In the Courthouse:

The use of cameras to take pictures, record video or conduct interviews is permitted in the courthouse as follows:

- a) In an area designated for this purpose by the Director of Corporate Services; or

- b) Where expressly authorized in writing by the Chief Judge of the Provincial Court of Newfoundland and Labrador.

Notwithstanding the forgoing, the use of cameras is permitted in the courthouse prior to and after a ceremonial proceeding in the Court such as a wedding or a swearing-in for purposes relating to that procedure.

6. Enforcement

Anyone who uses a camera in a manner the presiding judge (courtroom) or the Director of Corporate Services (courthouse) determines to be unacceptable may be ordered to turn off the device, leave the device outside the courtroom, leave the courtroom, or abide by any other order the presiding judge may make.