



HM Courts &
Tribunals Service

Jurisdictional guidance to support media access to courts and tribunals

Criminal courts guide



Jurisdictional guidance to support media access to courts and tribunals - Criminal courts guide

Although journalists are often in court to report on particular proceedings, you may still be contacted outside a hearing to verify the facts about a case they have heard about or to get details of a specific case after the event. You can release factual information that is said or read out in open court, contained within a court document that is open to public inspection, or placed on a public notice board.

In this guide, we will use 'journalists' to mean bona fide journalists and members of the media who are entitled to enhanced levels of court and tribunal information, over and above what is available to members of the public. We have created guidance for frontline HMCTS colleagues on how to carry out appropriate checks to verify the media accreditation of an individual journalist requesting enhanced level of information. (Details on the authentication process are set out at [Annex A - Guidance on checking status of a journalist](#))

Information you must provide to journalists

Where you have the relevant information and the case is ongoing (or the verdict is less than six months ago), you must supply the following details on request from a journalist (in court or by phone/email) in line with the Criminal Procedure Rules:

- a) the date of any hearing in public, unless any party has yet to be notified of that date;
- b) each alleged offence and any plea entered;
- c) the court's decision at any hearing in public, including any decision about bail, or the committal, sending or transfer of the case to another court;
- d) whether the case is under appeal;
- e) the outcome of any trial and any appeal; and
- f) the identity of the prosecutor, the defendant, the parties' representatives, including their addresses, and the judge, magistrate or magistrates, or justices' legal adviser by whom a decision at a hearing in public was made.

Details of any reporting or access restrictions ordered by the Court should also be given.

Please note that in order to comply with the obligation in relation to the identity of the defendant, you should also provide the journalist with defendant's address, age and where it is provided, date of birth.

The full details of Rule 5.8 of the Criminal Procedure Rules can be found at: www.justice.gov.uk/courts/procedure-rules/criminal/docs/2015/crim-proc-rules-2015-part-05.pdf

Requests for copies of the indictment

Journalists attending a criminal trial may ask for copies of the charge sheet or indictment and the practice directions state that this should be released as "The alleged offence(s) will have been read aloud in court, and their terms must be supplied under Criminal Procedure Rules 5.8(4)."

If you have concerns that draft indictments may be subject to amendments, particularly if they have been asked prior to the Pre and Trial Preparation Hearing and the defendant has not yet been arraigned, then a warning could be drafted along the lines:

"The charges specified on this draft indictment may still be subject to amendment and cases may not proceed in exactly the same way as the charges appear on the basis of this draft indictment."

It may also be sensible to point out that there may be reporting restrictions in place, or that the complainant may have the benefit of lifetime anonymity due to the nature

of the offence. It is, however, the responsibility of the publisher to find out what reporting restrictions exist prior to publication.

If you are asked by a journalist for an indictment when a journalist was not in court for the Plea and Trial Preparation Hearing, as the charges must be lodged under the Criminal Procedure Rules by that hearing, you would be able to confirm the charges on the indictment after that point, unless there's a specific reason not to.

Details of the directions to courts on all aspects of access to information were updated by the Lord Chief Justice in July 2018 and took effect on 1 October 2018.

Full details are included in Division I of the Criminal Practice Directions, at paragraph 5B. The Directions can be read online at: www.justice.gov.uk/courts/procedure-rules/criminal/docs/2015/crim-practice-directions-i-general-matters-2015.pdf.

Courts' registers and lists

Recognised media organisations and journalists who request lists and registers should be issued proactively with full Crown and magistrates' court lists routinely and without charge. HMCTS will provide copies of court lists primarily through its Courts and Tribunals Hearing service and, during a transitional period, manually via email from individual courts and during a transitional period, manually via email from individual courts.

Magistrates' court media registers should include both Common Platform and Libra cases. Crown Court staff are encouraged to provide the equivalent information in response to media enquiries and proactively distribute Crown Court registers to accredited media via email in the same way.

Lists for journalists should contain each defendant's name, age, address and, where known, his profession and the alleged offence. Courts will not breach data protection legislation by providing the media with such information.

As the media lists provide more information about cases than available from the public courts lists, media organisations and journalists that request them will need to provide identification (see Annex A) and accept the obligations about the length of time they can retain them.

This arrangement is governed by the HMCTS Media Protocol agreed with the Society of Editors and News Media Association. The full protocol has been updated and is included in the detailed criminal court jurisdictional guide www.gov.uk/government/publications/guidance-to-staff-on-supporting-media-access-to-courts-and-tribunals.

Civil and Family Court lists may be accessed through our Courts and Tribunals Hearing service.

Guidance on reporting restrictions

The making of reporting restrictions is covered by Part 6 of the Criminal Procedure Rules. It sets out which restrictions may be imposed by a criminal court and should serve as a guide to court staff where there is uncertainty about what restrictions may apply and how they should be managed and administered.

Part 6 is available in full at Annex B of this guidance and can be read online at: www.justice.gov.uk/courts/procedure-rules/criminal/docs/2015/crim-proc-rules-2015-part-06.pdf

The media should be given advance notification of any application for reporting restrictions and an opportunity to make representations about discretionary reporting restrictions. The Criminal Procedure Rules require parties who apply for discretionary reporting restrictions in criminal cases to notify the media of any applications. Orders should be put in writing as soon as possible and the media should be put on notice as to the existence and terms of the order. In addition, you can refer to guidance issued by the Judicial College, and supported by the News Media Association, Society of Editors and Media Lawyers' Association. It sets out a structured approach for magistrates' and judges to use when applying and observing reporting restrictions and is published on the Judicial website at: [Reporting Restrictions in the Criminal Courts \(July 2023\)](http://www.judicial.org.uk/Reporting-Restrictions-in-the-Criminal-Courts-July-2023).

Applications for reporting restrictions

Where the court has the power to impose a restriction on the reporting of events at a public hearing, or on public access to an otherwise public hearing, or has the power to withhold information from the public during a public hearing, the court may do so on application by a party or on its own initiative. The party who wants the restriction imposed must apply as soon as reasonably practicable, notify any other party, and any other person as the court directs. They must specify the proposed terms, how long the restriction should last, what power the court has to make the order, and why such an order is necessary.

If the application is for the trial to be held in private, court officers must display a notice of the application being made at a prominent location near the courtroom, and give notice of the application to the media according to any other administrative direction given by the court manager.

The media should be allowed an opportunity, if they want, to make representations to the court about a discretionary reporting restriction that the court is thinking of making or is being asked to make. Courts are required to hear the media's representations in relation to a proposed

reporting restriction or restriction on public access to proceedings before making any order. Exceptionally this may not be possible where an unexpected issue arises; in such circumstances the media should be invited to make representations at the first available opportunity.'

If, exceptionally, the court is asked to impose a reporting restriction at a hearing in private, or without a hearing at all, then action should be taken to inform the media, in the same way they are informed of an application for a trial to be held in private.

Display of a reporting restriction order

Any reporting restriction imposes potential criminal liability on any media organisation that breaches it and it is therefore essential that the restriction(s) imposed is written up as soon as possible in clear and precise terms, and drawn up as a court order as soon as practicable.

Subject to the requirements of Part 6 of the Criminal Procedure Rules, local procedures may vary. But as a rule court staff will be responsible for producing the relevant order and any accompanying notices that will be displayed following an order for reporting restrictions in any type of case. These notices should be drawn up promptly and agreed with the judge/magistrate who made the order. The following information will be available from the order and should be included in any notice:

- date of order
- name of trial
- who made the order and where
- reason for the decision and the legal basis
- what or who is affected by the order
- how long the order is intended to last
- lifting restrictions in place.

The notice should also mention that if the media wish to challenge the order, they will need to make representations to the judge/magistrates.

Orders that are rescinding, replacing, updating or amending a previous order must make this clear, including the status of previous orders. All decisions from the list above must be clearly recorded on the court file and on XHIBIT/LIBRA/Common Platform.

All notices setting out the above information must be clearly displayed on the courtroom door, by daily lists and in the pressroom, if there is one. Copies of the notices should be made and retained on the court file so that queries can be easily answered. XHIBIT/LIBRA/Common Platform systems, including public display screens, should

also be updated and the listing officer should then ensure that details appear on the court list so all staff and journalists are alerted to the fact that reporting restrictions are in place.

Journalists should be able to find out if there are reporting restrictions on a particular case in a timely fashion but court staff should not attempt to interpret the restrictions.

The appropriate members of staff should however, be available and briefed to deal with media inquiries, inside and outside of court hours, this could be a nominated press or media lead. Whilst HMCTS is under a duty to ensure any reporting restrictions are accurately recorded and displayed, the media is expected to pay close regard to the reporting restrictions made and carry the risk of contempt of court if they publish information subject to them.

Court staff should avoid providing advice to journalists on the interpretation or scope of reporting restrictions because of the risk of being in contempt of court themselves. If a journalist want further clarification about a reporting restriction then they should seek their own legal advice.

Request for information about historic cases

Under rule 5.8(4) of the Criminal Procedure Rules court staff can only supply information about cases that are ongoing or where the verdict was not more than 6 months ago. If the media want information about a case that ended more than 6 months ago then they must apply to a judge, under rule 5.8(7), and they must explain the reasons for the request: see paragraph I 5B of the Criminal Practice Directions. Court staff should give all the help they can and in particular should make sure that the request is referred promptly to a judge – the process of court staff referring these requests to a judge is already in place and in most instances a decision is made within 5 working days depending on the nature of the request and the age and complexity of the case.

The Criminal Procedure Rule Committee decided that for court staff to supply the information allowed under rule 5.8 within 6 months of the end of a case would not breach any of the data protection principles in Part 3 of the Data Protection Act 2018, or any restriction imposed by the Rehabilitation of Offenders Act 1974. After 6 months, however, the legal position is more complicated and that is why any request for information about older cases needs to be decided by a judge, even if the request is made by a journalist.

Jurors

We do not give jurors' names to the media (or anyone else). The only reason the names are read out in open court is because the defendant has a right to hear the names of the jurors who are about to try them in the interests of justice. This is in case they may know any of the names and may need to challenge that juror sitting on the trial.

Jury visits

Journalists are entitled to attend jury visits, but their attendance needs to be carefully handled.

When the jury, judge and parties come together on a site visit, the court is effectively 'in session' just as it would be in the courtroom. All the normal contempt rules therefore apply – the group cannot be filmed or photographed while the court is in session and evidence must not be interfered with but equally the media should be allowed to attend the visit. Some media photography at the site can be arranged when the court is not in session with prior request to the court staff.

The local police should be approached well in advance of the jury site visit to discuss what assistance they can give in controlling the media attendance at the site visit. If possible, a cordoned area should be set aside for the media, as close to the site as possible.

Experienced ushers or other senior staff from the court where the trial is being held should also attend to perform the same role they would in a normal court in controlling the media's attendance. They should remind any journalist attending that the normal contempt of court rules apply in relation to filming or photographing jurors, the judge or anyone else attending the site visit.

Defendants entering court by a side entrance

You may be asked to allow defendants on bail to enter the court through a side entrance to avoid journalists in the street. This could lead to complaints from the media.

You should only allow defendants to use a side entrance if you have been specifically advised to, on security grounds, by the police or the judge. If the media do make complaints you should tell them that the decision was made following police advice.

Transcripts

Anyone may ask for an available transcript of a hearing held in public for a fee. The transcription company must not provide information where a reporting restriction applies if doing so would contravene the reporting restriction.

For a hearing held in private, the transcription company can only provide the transcript to a person who was present at the hearing (or to the registrar).

Youth courts

Journalists are entitled to attend and report on proceedings in the youth court, and we should facilitate this. Unlike members of the public, journalists do not need permission to attend, however it is reasonable to request identification from a journalist before giving them access to the courtroom.

There are automatic reporting restrictions that apply to protect the identity of under-18s involved in the following proceedings:

- proceedings in the youth court;
- proceedings on appeal from a youth court;
- that relate to a breach, revocation or amendment of a Youth Rehabilitation Order (occurring when the offender has since turned 18);
- proceedings on appeal from a magistrates' court relating to a YRO.

The court can, however, lift or amend such restrictions by order.

If you receive calls from the media about youth court cases the following information can be given out:

- result of the case
- the name and address of the defendant (in most cases the journalists will already know it), but remind them that these details cannot be published
- the age, including the date of birth recorded on the court file
- details of any order under section 49 of the Children and Young Persons Act 1933 dispensing with the prohibition under section 49(1).

As you are giving out information not normally available to the public, if you do not know the journalist, you can check their status here: www.gov.uk/government/publications/guidance-to-staff-on-supporting-media-access-to-courts-and-tribunals/guidance-for-checking-status-of-journalists

The point of providing these details is to promote accurate reporting; responsibility for what is published always rests with the recognised media industry organisation.

Power to prohibit publication

Section 45 of the Youth Justice and Criminal Evidence Act 1999 allows a court to prohibit publication that would identify a young person concerned in any other criminal proceedings. The court may direct that:

- no report of the proceedings shall reveal the name, address, school or place of work, or include any particulars calculated to lead to the identification, of any child or young person concerned in the proceedings, either as being the person or in respect of whom the proceedings are taken, or as being a witness therein; and
- no picture (still or moving) shall be published as being or including a picture of any child or young person so concerned in the proceedings.

Requests for information about “civil cases” in magistrates’ courts

In magistrates’ courts, civil cases can be defined as all proceedings other than criminal and family proceedings. Civil proceedings in magistrates’ courts include applications by the state for coercive orders against citizens (rather than orders to punish or impose treatment), challenges by citizens to actions by the state, or simple proceedings to remedy disputes between citizens, or between organisations and citizens. There is a wide variety of orders, each of which is specific to the proceedings. Breaches may result in punitive orders, or criminal proceedings.

Examples of common civil cases you may deal with are:

- Council tax and business rates
- Utility warrants
- Child support
- Domestic violence/abuse protection orders
- Cash seizures and other proceeds of crime applications, e.g. freezing orders • Appeals against local authority decisions, e.g. taxi drivers, licensing • Closure orders

An internal staff guide that helps you work through what we can provide, and how to provide it is published on our intranet at:

intranet.justice.gov.uk/documents/2021/06/requests-for-information-about-civil-cases-in-the-magistrates-courts-guidance.pdf

Once you have worked through the staff guide, and a decision has been made, the information to be provided **must still be always checked before release** - consider carefully what is permitted to be provided, who it must be given to, and how, and before releasing any information ask for clearance at a Band C or D level.

The first check in the guide (at 2.2) is to **check if the information requested falls into one or more of the points below – if it does you must not supply the information without looking more closely** at the case, and working through the guide.

Is the information:

- *prohibited by a reporting restriction?*
- *about the date of a hearing which took place in public, but where a party has not yet been notified?*
- *about a case that the court decided without notice to either a party to the case or a person affected by the case (you may need to look at the original record or papers in the case)?*
- *Is the information not actually available – examples of unavailable information might be information that is not retrievable from storage?*
- *Is the information available but only after great effort (e.g. by looking through large numbers of manual records of council tax liability orders)*

If the information doesn’t fall into any of the bullet points above, you can go ahead and supply to the person asking for the information the details below (2.4 of the guide):

- a) the date of a hearing in open court (in public)
- b) in general terms, the subject of the proceedings;
- c) the court’s decision at a hearing in open court; (Reminder – do not provide this if the hearing did not take place in public)
- d) whether the case is under appeal;
- e) the identity of -
 - i. the parties, *Note: “identity” means:
 - Full name
 - Date of birth (if known)
 - But not address, unless the information is being provided to authorised news media organisations
 - ii. the parties’ representatives, including their addresses, and
 - iii. (iii) the judge, magistrate or magistrates, or justices’ legal adviser by whom a decision at a hearing in public was made;

If you are not clear on whether a person was served with notice or not, refer to a legal adviser

Examples of hearings that don't take place in public include most applications for warrants (e.g. mental health or gas and electricity) warrants of entry are not made in public.

- f) Where the information is provided in an extract from the register, you can provide any other information which automatically appears on the printout from the register. This means that we don't have to redact extracts to remove this additional material which the computer may insert on registers.

However, you must check that no additional personal data is revealed other than that listed above. If it does it must be redacted. This might include:

- Bank account details
- Addresses
- Telephone numbers

- g) any reporting or access restriction ordered by the court and the effect it has on the information you are giving them (e.g., you might give a requester most of the information in the list above but explain that there is a reporting restriction preventing the publication of the defendant's name).

How to provide the information – if you can provide the information, you can do this by phone or in person, or in writing. If in writing you can put the information in a letter. Or you can provide it by certificate or extract from the record if that is most convenient for you, or that is how the requester asked for it.

The Rules themselves can be found at:

www.legislation.gov.uk/ukxi/2021/626/contents/made

Section 31 proceedings in the Court Of Appeal

Section 31 of the Criminal Appeal Act 1968 gives a single High Court judge the delegated power to exercise certain powers given to the Court, including granting leave to appeal and extensions of time.

Section 31 proceedings are almost invariably dealt with in private, as a 'paper' process. A High Court judge will decide to grant or refuse leave, or may 'refer' the application to the full Court. The judge completes a form with the decision and also the reasons, which can be detailed.

The decision (which is whether leave to appeal has been granted/referred to the Court or refused) must be sent to the Crown Court (Crim PR 36.7(2)(c)) to be entered on the court record. It may then, on request, be disclosed to the media or the public, but only after the parties have been informed.

The reasons for the decision are considered confidential and are not to be disclosed to anyone other than the parties and their representatives.

Protocol on sharing court lists, registers and documents with the media

There is a longstanding practice of magistrates' courts providing copies of the court register and court lists to journalists free of charge, as well as providing access to documents used in particular cases and hearings.

HMCTS believes that assisting the media to report what is happening in local courts is important in order to maintain and increase confidence in the criminal justice system, and to uphold a clear commitment to open justice.

In this Protocol, we will use "journalists" to mean bona fide journalists and members of the media who are entitled to enhanced court and tribunal information, over and above what is available to members of the public. Provision of this enhanced level of information and access to information is intended to support court reporting by journalists.

This Protocol has been jointly agreed by HMCTS, the News Media Association and the Society of Editors, and approved by the Lord Chancellor to operate alongside Criminal Procedure Rule 5.8. First published in April 2020, it was most recently refreshed in June 2026. The Protocol accords with all relevant legal obligations, including the UK General Data Protection Regulation and the Data Protection Act 2018.

Minor operational updates may be agreed between HMCTS, the Society of Editors and the News Media Association, and the Protocol is kept under periodic review, with any amendments agreed collectively by the three parties.

Most journalists covering court and tribunal hearings will have had training in media law as part of wider professional qualifications and so should be familiar with legal issues relating to reporting proceedings.

The law sets out clearly what can and cannot be published in respect of criminal and other proceedings and it is media organisations themselves, not HMCTS, that carry the legal obligation to make sure that these are met.

1. HMCTS will:

- ✓ provide copies of court lists primarily through its [Courts and Tribunals Hearing service](#) and, during a transitional period, manually via email from individual courts
- ✓ provide copies of court registers manually via email from individual courts
- ✓ not charge journalists for copies of court registers or court lists
- ✓ ensure that court registers contain details of any reporting restrictions when they are first made
- ✓ ensure that magistrates' court lists, which are intended for accredited members of the media via the [Court and Tribunals Hearing service](#), contain each defendant's name, date of birth (when provided), age, alleged offence and address.
- ✓ provide a defendant's recorded address when providing details of their identity
- ✓ carry out appropriate checks to verify the media accreditation of an individual requesting this enhanced level of information. (Details on the authentication process are set out at Annex A)
- ✓ reserve the right to refuse to disclose data if there is a concern about how that information will be used (e.g. accreditation evidence not provided, sold to a third party, used to create unlawful internet lists of sex offenders etc)
- ✓ ensure that system notifications and emails contain the following disclaimer:

"This communication contains information, or links to information, intended to assist the accurate reporting of court proceedings by journalists.

You must comply with reporting restrictions and any other legal restrictions on the use of information.

HMCTS will stop sharing the data if there is concern about how it will be used.

This data is shared with you in confidence, it should only be used for your own professional journalistic purposes, and must not be shared with any third parties.

If your circumstances change and you no longer have legitimate reasons to receive court hearing lists and registers – for example, if you leave your employer – it is your responsibility to inform HMCTS of this so that your details are removed from the distribution list.

Contacting magistrates' courts

Journalists should contact our Courts and Tribunals Service Centre for all requests for factual information related to criminal magistrates' court cases and hearings.

Telephone: **0333 0419680** (select **option 1** for criminal cases). This line is for journalists only and should not be promoted for public use.

Email: mediaandpressenquires@justice.gov.uk,

Journalists should use **MEDIA ENQUIRY** in the subject line of all correspondence.

You may be asked to provide details of your UK Press Card or relevant identification to verify your identity."

in addition:

- ✓ use the [Courts and Tribunals Hearing service](#) to conduct a regular authentication review to ensure account validation (annually)
- ✓ ask journalists on our email distribution lists to confirm accuracy of their contact details annually

2. Journalists will:

- ✓ only access or request court registers and lists to assist their role in reporting court proceedings and editorial coverage
- ✓ provide bona fide e-mail addresses and appropriate accreditation information
- ✓ safeguard the information that is passed to them, so far as is appropriate and reasonable
- ✓ destroy any electronic or hardcopy personal data supplied by HMCTS as soon as it is no longer required for journalistic purposes. Once personal data is provided, the recipient becomes an independent data controller for that data and is responsible for its lawful handling, including how it is accessed, stored, shared, retained and securely destroyed. Journalists should comply with relevant laws, regulatory requirements or professional standards that apply to their work and should seek their own legal advice on data protection and retention obligations.
- ✓ not pass the information contained in court lists, registers and documents to third parties unless the third party is:
 - is a journalist as defined in this Protocol; or
 - their legal representative and/or legal advisers and the documents are being shared for reasons connected with journalism
- ✓ comply with reporting restrictions and any other legal restrictions on the use of information
- ✓ inform HMCTS of any change in circumstance so that their access and contact details can be updated or removed from HMCTS systems.

3. Single Justice Procedure cases

Cases being heard as part of the Single Justice Procedure (SJP) are covered by this Protocol.

Journalists are entitled to access the same data in SJP cases (including lists, registers and documents) as they are entitled to in other magistrates' court criminal cases, and some additional information not available without a court order in other proceedings.

The documents that Journalists may request are:

- the prosecution statement of facts or, if there is no statement of facts, the witness statement(s): this also includes embedded exhibits (such as photographs in motoring offences)
- any defence representations in mitigation (although not the defendant's statement of means which would not be read aloud, or treated as read aloud, were the case being heard in public)

Journalists should be provided with such documents, subject always to any judicial restrictions that, exceptionally, prohibit it.

Requests for documents relating to SJP hearings documents can be made to our Courts and Tribunals Service Centre at the following email mailbox: SJSTeamLeaders@justice.gov.uk and should include a copy of the requestor's UK Press Card or other evidence to validate their status as detailed in Annex A

Documents should be provided within 1 working day from the receipt of a request by email.

4. Endnote

This guidance is intended to support and promote the provision of magistrates' court lists, registers and relevant documents to journalists. Nothing in this guidance is intended to reduce or limit the existing level of information supplied to or published by the media.

Crown Court staff are encouraged to provide the equivalent information in response to media enquiries and proactively distribute Crown Court registers to accredited members of the media via email in the same way. Crown Court lists are also available to journalists via the [Courts and Tribunals Hearings service](#).

It forms part of HMCTS' wider guidance to staff relating to media access issues. Any disputes arising from the application of this Protocol should be escalated to HMCTS at: askhmctscommunications@justice.gov.uk.



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