

***One Day Workshop  
for Journalists on Court  
Reporting & Journalistic Ethics***



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## Contents of Report

01	Preface	<b>3-4</b>
02	Concept Note	<b>5-6</b>
03	Course Description	<b>7</b>
04	Schedule of Activities	<b>8</b>
05	Welcome Address by the Director General	<b>9</b>
06	<b>Dr Adnan Khan</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> <li>• Presentation Slides</li> <li>• Feedback</li> </ul>	<b>10-17</b>
07	<b>Mr. Sohail Ahmad Khan</b> <ul style="list-style-type: none"> <li>• Curriculum Vitae</li> <li>• Presentation Slides</li> <li>• Feedback</li> </ul>	<b>18-30</b>
08	<b>Syed Talat Hussain</b> <ul style="list-style-type: none"> <li>• Presentation Slides</li> <li>• Feedback</li> </ul>	<b>31-38</b>
<b>Concluding Ceremony</b>		
<b>Annexes</b>		
A	Address of the Chairman/Hon'ble the Chief Justice	<b>39-40</b>
B	Address of the Director General	<b>41</b>
C	Overall Training Evaluation	<b>42</b>
D	Names of the Participants	<b>43</b>
E	GROUP PICTURE	<b>44</b>

## Preface

The report in your hands reveals the proceedings of first ever one-day training of journalists on “court reporting”, organized by Khyber Pakhtunkhwa Judicial Academy. As many as 22 journalists, attached to various newspapers, journals and TV channels received the training successfully.

Access to information (access to data) is a divine command.<sup>1</sup> The philosophy working behind this is the fact that no one, unless communicated properly, could be held accountable.<sup>2</sup> Therefore, in the cotemporary world, where the role of media is growing unprecedentedly fast, media itself could not be dispensed with.

Media, electronic or print, is the real guarantor and protector of access to information. This noble objective could not be achieved until the media men enjoy the right of freedom of speech. So, to enhance the capabilities of journalists, to enrich their capacities, to refine their qualities and to polish their potentials, were the targeted areas of the training program.

Right to get informed is the upshot of freedom of speech. Like many other rights, such a right is also an instrument of individual empowerment. Nonetheless, no freedom could be absolute. Similarly, any empowerment, a particular right confers, may also not be absolute. Absolute power, with whosoever it may be, brings absolute corruption, as it is said.<sup>3</sup> There could be no freedom that knows no limits. Freedom of a person ends at the point where other’s freedom begins. So, in order to leave the fellowmen remain unharmed, this right could be exercised subject to certain rules and limitations.

What has been stated above corresponds to common and general duties of a journalist. The situation, however, becomes more sensitive and the job turns more fragile when a media man is tasked with court reporting. In such kind of reporting, independence, decorum and dignity of the court override every other privilege. While reporting, necessary distinction is required to be made between a place where a conflict originates and the place (court) where it is resolved. A journalist should be aware of the court system, its functioning and hierarchy, the personnel attached to it, the nature of and parties to cases, the role of advocates, the legal terminologies, and above all, the dignity of the court. These goals, certainly, necessitate a proper training.

Keeping in view the above situation, the hon’ble Chairman of the Academy desired that a training program for the purpose be designed and wished the journalists to participate in it. Thus the Academy conducted this one-day training on court reporting. Experts and senior journalists, including famous TV anchor, Syed Talat Hussain, were invited as resource persons. Dr Adnan Khan, Director Research of the Academy delivered a meaningful and an informative lecture on

<sup>1</sup> Prof. Dr Zuhaili Wahba, *Al-tafsir-ul-munir* (Damascus: Dar-ul-Fikr, 1998) 3:36.

<sup>2</sup> Dr Ahmad Hassan, *Principles of Islamic Jurisprudence* (Islamabad: IRI Press, 2007) 238.

<sup>3</sup> Louise Creighton, *The Life and Letters of Mandell Creighton*, vol. 1, ch. 13, ed (1904).

the boundaries of freedom of expression. Mr.Hussain highlighted the norms of court reporting, reflecting on his experience as a senior journalist. Mr.Sohail Khan, a journalist from daily the News International, Islamabad, who is the newspaper's Supreme Court reporter, delivered a lecture on professional ethics. Unfortunately, the Academy had to skip one important lecture "Status and limits of media in Islam". This was due to the late arrival of most of the participants, which led to the revision of schedule of activities. Such response from a responsible community was astonishing.

### **QaziAtaullah**

Director (Instructions)

## Concept Note

### Training Course for Courts' News Reporters

*Dr Khurshid Iqbal<sup>4</sup>*

It is said that in a democratic dispensation, the press (or media) and the nation rise and fall together. Of great significance is the role of the media in upholding and sustaining democracy, the rule of law, respect for human rights and socio-economic development, including sustainable development (Eleanor, *et al*: 2008). While the three formal organs of the state—legislature, judiciary and executive—check each other's power, the media is a watchdog on all. It is for this reason that the media is known as the fourth pillar of the State. In an emerging democracy, like Pakistan, media help inform and educate citizens on their rights, duties and government's policies affecting such rights and duties (Fackson: 2009). The opinion the public makes with the help of the media, carries great importance as it enables the government to take stock of public views about its policies. The media is the torch-bearer on the way to democracy, the rule of law, respect for human rights and socio-economic development (ibid, 9). Where ever media fails to show the dents and bumps, a nation is bound to lose its path and the media itself may also be groping in the dark. The media, thus, owes a great responsibility to the people whose rights and interests it is bound to protect and promote. With the galloping advancement in information technology, on the one side, and growing concern for accountability and transparency, on the other, such responsibility is gaining snowballing significance. No doubt, the media has a right to play a proactive role in criticizing the State institutions and fashioning public opinion, it is, however, felt increasingly desirable to sensitize media to perform more responsibly. For this purpose, media needs capacity building.

Media's capacity building is a significant area of media education, which is receiving greater attention of the international community since UNESCO's 1982 Gurnwald Declaration on Media Education. The Declaration underlined the importance of comprehensive media education, including adult education and training. As a follow up to the Gurnwald Declaration, in 2007, as many as 12 recommendations were adopted for media education at a meeting organized by the UNESCO and the French Commission for UNESCO (Paris Agenda: recommendations 4—8 relate to teaching and training of media).

In a developing country like ours, capacity building of media may require multidimensional intervention. One key area that needs immediate attention is the sensitization of media, while reporting legal and judicial matters, most notably, the events which occur in courts of law. Journalistic freedom comes under auspices of freedom of expression and right of access to

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<sup>4</sup>Dr Adnan Khan, Director Research and Mr. Asghar Ali, Administrative Officer helped in the preparation of this Concept Paper.

information. On the other hand, journalists are under an obligation to protect privacy of those reported upon. There has always been a need to sensitize media on balancing these two seemingly conflicting values. Court reporting also enjoins upon the journalists the duty to respect the judiciary, not merely for the sake of the judiciary itself, but also, and most importantly, for maintaining public confidence in the judiciary. At times it is complained that such news are reported with bias, distortion and with a view to make them sensational. These and many other related difficulties could be overcome through training of court reporters.

It is desirable to establish court reporting training schools, where journalists from both print and electronic media may update their knowledge and skills. Such schools should impart specialized training on court reporting, which may include, principles of the administrative, civil and criminal law; court proceedings and terminology; open hearings and the role of media in the process of news reporting. The concept is neither alien nor new. In the US, the UK and Germany, media training schools for court reporting are already working. The US is playing a leading role in such kind of training, where many states like Louisiana, California, Illinois and Chicago have introduced accreditation schemes and training requirements for court reporting. UNESCO also plays a significant role in capacity building of media across the world (UNESCO website).

Ironically, there exists no such institutional arrangement in Pakistan. The Khyber Pakhtunkhwa Judicial Academy has a mandate of capacity building of different justice sector institutions. In the present context, the media cannot be ousted from the process of administration of justice. Cognizant of this responsibility, the Academy proposes to arrange a training workshop for court reporters. The workshop would aim at updating the participants on various legal rules and principles to sensitise them to various ethical and moral aspects of court reporting.

## Course Description

### List of topics

- Boundaries of Journalistic Freedom
- Court Reporting: An Islamic Perspective
- Professional Responsibilities and Journalistic Ethics
- Experience Sharing: Visit of a Senior Journalist

### Key outcomes

The participants should be able to:

- Analyse the relationship between media and the rule of law
  - Demonstrate knowledge of the institutional infrastructure of the legal system
  - Interpret human rights in relation to media and administration of justice
  - Understand various moral and ethical aspects of court reporting
  - Learn specific skills necessary for court reporting
  - Know and learn best practices
- 

### References:

Banda, Fackson (2009), Civic Education for Media Professionals: A Training Manual, UNESCO, Paris, UNESCO Series on Journalism Education.

Bird, Eleanor, Lutz, Riachard& Warwick, Chirstine (2008), Media Partners in Education for Sustainable Development: A Training and Resource Kit, UNESCO, Paris, UNESCO Series on Journalism.

Grunwald Declaration (1982): Unanimously adopted by 19 nations at UNESCO's 1982 Interantional Symposium on Media Education at Grunwald, Germany.

Paris Agenda (2007): Adopted, as a follow up to the 1982 Grunwald Declaration at meeting held in Pairs, comprised of total 12 recommendations under four Grunwald guidelines.

## **Schedule of Activities**

Registration of the Participants

9:00—9:10

Seating at the Hall

DUA

9:15

Welcome Address by D.G

9:15

About the seminar (Dean Faculty)

9:30

"Boundaries of Journalistic Freedom with focus on Court Reporting"

(Dr Adnan Khan)

09:45 -- 10:45

Tea Break

10:45 -- 11:15

"Journalistic Ethics"

(Mr. Sohail Khan)

11:15—12:15

The Role of Media in Islam

(Qazi Atta-Ullah)

12:15---1:15

Lunch + Prayer break

01:15---02:00

"Professional Responsibilities of Court Reporters,  
Sharing personal experiences"

( Mr. Tallat Husain)

02:00-- 03:30

Concluding Ceremony

3:30----4:00



## Director General's Welcome Address

*Worthy Dean Faculty, learned Directors and dear participants*

*Assalam-o-alaikum!*

It is a great pleasure for me that our Faculty has arranged its first ever workshop on court reporting, for a highly responsible community. The significance of role of media is self evident and hence needs no explanation. It is an admitted fact that democracy is the real guarantor of progress and prosperity of a nation, but at the same time it cannot be denied that democracy will never flourish until and unless the media plays its watchdog role. It is for this indispensable role that media has gained the position of fourth pillar of the state.

No doubt access to information is a right, recognized by almost all civilized states, nevertheless, it should not be forgotten that communication always precedes reception. So information and data, of whatever importance it may be, is of no use until and unless it is communicated. Mere communication is, however, not sufficient. Communication must be proper, effective, clear and above all, the datum and the story which it carries, must be true, authentic and properly verified. In case of court reporting, the situation becomes more intensified. Keeping in view the fragile and sometime hazardous nature of hearings, journalists are required to pay comparatively more attention to judicial proceedings and to take extraordinary deal of caution while reporting from court-room.

Judges, as it is said, do not speak. They speak through their judgments. Judgments are but the media of justice. But justice is not only be done, rather it must be seen to have been done. To get this end, media becomes *sine qua non* for the entire judicature of this country.

Ladies and gentlemen

I formally welcome you to this esteemed centre of learning. I hope you will learn the skills of court reporting, will share it with your colleagues and will apply it to all spans of your profession. Thank you. Enjoy stay with us.

**Hayat Ali Shah**

## **Dr Adnan Khan**

### **Curriculum Vitae**

#### **Adnan Khan**

Kamarbagh, College Colony, Saidu Sharif, Swat

**Email:** [akhan@lincoln.ac.uk](mailto:akhan@lincoln.ac.uk) **Tel:** 03469415233

**DOB:** 10/01/1980

#### **Academic Qualification**

2012 **Bar Transfer Test**, Kaplan, UK

2012 **Qualified Lawyer's Transfer Test**, Kaplan, UK

2011 **PhD Law**, University of Lincoln, UK

2004 **LLM International Law**, University of Hull, UK

2003 **LLB (Hons) Shariah and Law**, International Islamic University Islamabad, Pakistan

2002 **MA Politics**, University of Peshawar, Pakistan

2001 **BA Law and Politics**, University of Peshawar, Pakistan

#### **Present Position**

Director Research & Publication, KP Judicial Academy

#### **Work Experience**

- Lecturer Business Law, National College of Business & Management Sciences Islamabad from Feb 2004 to Jan 2005.
- Advocate High Court registered with KPK Bar Council since 02/12/2004.
- Civil Judge-cum-Judicial Magistrate KPK Judiciary from March 2006 to Feb 2012
- Public Service Interpreter at police stations registered with Cintra Ltd. Cambridge since April 2009.
- Legal Executive, SABZ Solicitors Manchester since April 2012.

#### **Membership of Professional Body**

- Law Society of England and Wales as Solicitor of the Supreme Court.
- KPK Bar Council as Advocate of the High Courts.
- In the process of registering as a Practicing Barrister with Bar Standard Board.

#### **Research work**

- Successfully completed PhD dissertation on Blasphemy laws.
- Successfully completed LLM dissertation on Corporate Laws.
- Passed all the module essays each of approx. 5000 words on Comparative Company Law, International Law of Trade and Development, Multinational Corporations and the Law, International Environmental Law, Public International Law Human Rights Law during LLM at Hull University.

**Publications**

- **“The Extent of Sovereign Immunity under our Legal Edifice”** in the process of publication.
- **2008“Movement for Restoration of Judiciary in Pakistan”** Conference Publication in annual research conference, University of Lincoln, Dec 2008.
- **2007 “Role of the Bench Bar Liaison Committee in the Administration of Justice”** Conference Publication at the annual conference of judges from NWFP Judiciary, Swat, Nov 2007.
- **2003“Climate Change Conventions: How effectively do they address the Issues?”** Conference Publication, University of Hull, Feb 2003.
- **2003“The Concept of Corporate Personality in Islamic Law”** Conference Publication, University of Hull, June 2003.
- Recently compiled Annual Report for the Peshawar High Court Peshawar.

**Computer Skills:**

Have a sound knowledge of MS Word, Excel, Power Point, Internet Programs, Search Engines, Windows and other software installations, Adobe etc.

**Language Skills:**

Proficiency in English, Arabic, Urdu and Pashto

## Presentation Slides

# Boundaries of Journalistic Freedom

By

Dr Adnan Khan, Barrister at Law,  
Director Research & Publication

Freedom of Speech or Expression

▶ Journalistic freedom is a  
subset of freedom of speech

Freedom of Speech is a  
Human Right

Freedom of Speech is not  
an absolute right

## Words can cause damage

Words are not neutral and harmless instruments. They can be as lethal, almost, as bullets and can cause great offence and personal distress. That is why absolute freedom of speech is ultimately no more desirable than absolute freedom to murder. (Richard Webster)

Agreement to commit an offence → Conspiracy

Offer to agree, order, request, inducement to commit an offence → Abetment, Criminal Solicitation

Threat of death or grievous injury → Criminal Intimidation

Falsely pretending to hold a public office or to get some benefit dishonestly → Cheating, Cheating by Personating, Fraud

Giving False Evidence → Perjury

Using disgracing and insulting words about a court of law or a judge → Contempt of Court

Disclosing state secrets to the enemies in the times of war → Sedition, Treason

Insulting another individual by use of words either published or spoken → Defamation, Libel, Slander

Insulting God, religious personalities and sacred books → Blasphemy

## Exceptions to free speech:

1. Harm Principle
2. Offence Principle

## Additional obligations of Journalists

Being responsible professionals, journalists are required to report truth

Truth may conflict with many other values.

1. Public interest.

Revelation of sensitive government information may be contrary to the public interest, even if it is true. However, public interest is not a term which is easy to define.

## 2. Privacy.

Reporting scandalous and sensational details of the lives of public figures may cause irreversible damage to their reputation. Disclosing identity of vulnerable citizens may endanger their lives. Publication is not necessarily justified simply because the information is true. Privacy is also a right, and one which conflicts with free speech.



## 3. Taste.

Photo journalists who cover war and disasters confront situations which may shock the sensitivities of their audiences. For example, picturing human remains. The ethical issue is how far should one risk shocking an audience's sensitivities in order to correctly and fully report the truth.



# Rules Specific for Court Reporting



1. Observe numerous hearings to gain an accurate picture of the system as a whole.

2. Identify oneself at the beginning of trial so that all stakeholders have the chance to understand the implications of having a journalist in court and raise any concerns they might have about the presence of a journalist.





Maintain the anonymity of vulnerable litigant and the safety of all participants by:

- Not publishing the child's name or address
- Not publishing parents or sibling's name or address that would identify such a person, even if other reporters have published them.
- Not publishing the name or address of any individual who may be reasonably endangered by identification

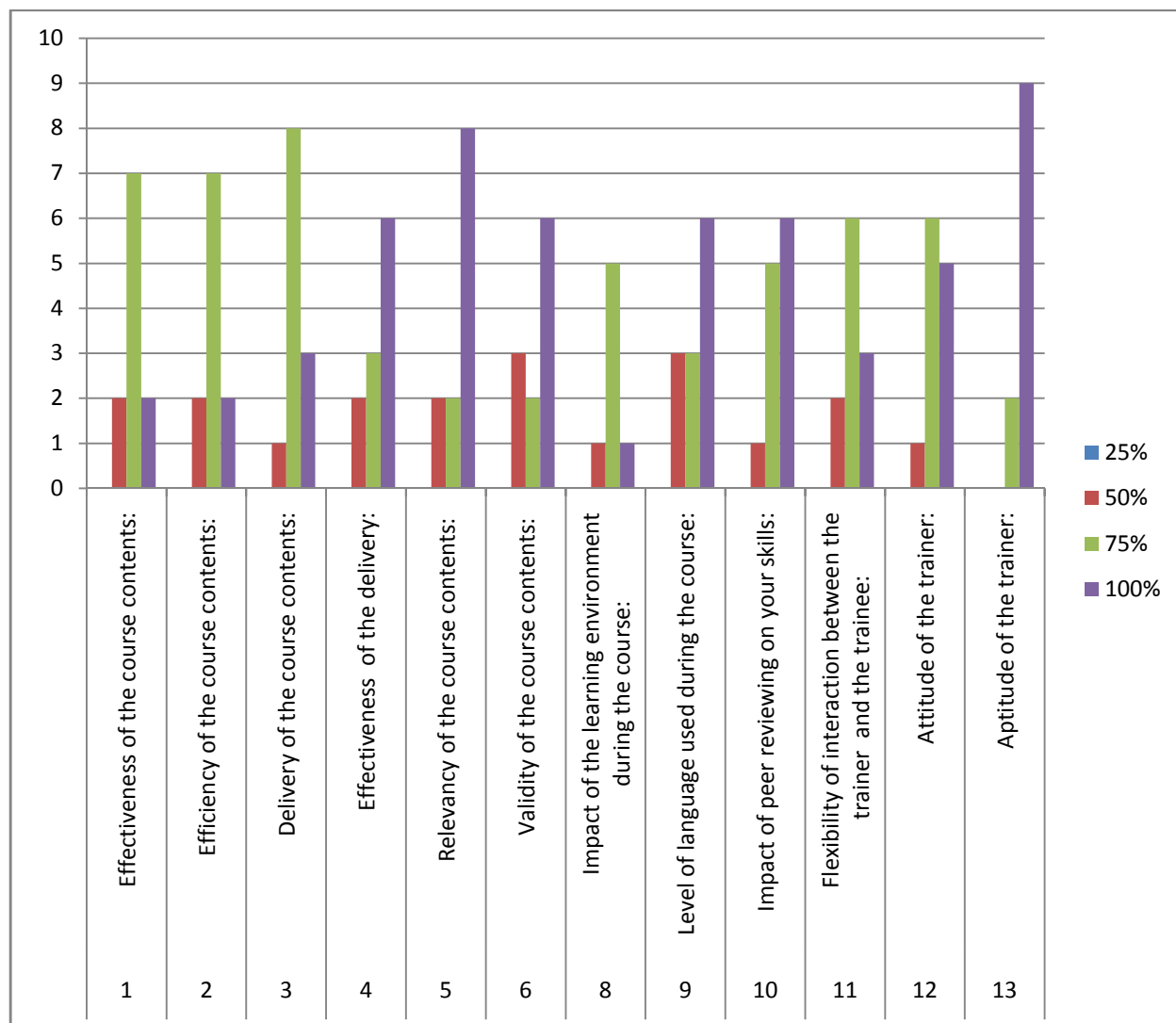
**REMEMBER:**

Court reporters are vital part of judicial system that needs extra care and caution. They are officers of the court who inform the public about the court proceedings. While reporting the matter, principles of fairness, accuracy, relevancy, impartiality, right of privacy, verification and right of clarification should be maintained.

Thanks



## Feedback



**Mr. Sohail Ahmad Khan**

## **Curriculum Vitae**

**Sohail Ahmad Khan**

*The News, 40-Jang Plaza,*

*FazleHaq Road, Blue Area, Islamabad.*

[Sohail\\_75@hotmail.com](mailto:Sohail_75@hotmail.com) , [Sohailahmed\\_pk2000@yahoo.com](mailto:Sohailahmed_pk2000@yahoo.com)

Cell Phone: 0301 8825159

<b>Objective</b>	To utilize my skills in the field of Journalism, Mass Media and focus on developmental issues.
<b>Education</b>	University of Peshawar, NWFP (1991) <b>MA Journalism (1<sup>st</sup> division)</b>
<b>Journalistic Experience</b>	<p>14 Years in the field of Journalism and Mass Media.</p> <p>I started my professional obligations in the field of media with The Frontier Post, the North West Frontier Province popular newspaper. Later on I joined Daily The Nation Islamabad as its correspondent for Nowshera and then resumed work at Islamabad office for seven months.</p> <p>Meanwhile I joined its Peshawar bureau office and work there on many beats including political, social, environment, education, human rights issues, Assembly coverage.</p> <p>During this time I wrote features to BBC and Agency France Press (AFP) on many issues.</p>
<b>Computer Skills</b>	Working experience of Windows and office applications in a stand-alone and network environment. Efficient user of internet and having strong skills of searching information on the internet.

<b>Training Courses</b>	<p>4 Days training course on Negotiation and Persuasion Skills, organized by IUCN-SPCS Support Unit at Islamabad, April 2001.</p> <p>3 Days Training course on issues related to Reproductive Health, organized by SDPI, Islamabad, October 2002.</p> <p>3-day Training workshops for journalists and non-government organizations working to address HIV/AIDS Under the auspices of a US Department of State grant at Colombo (Sri Lanka) in 2009.</p>
<b>Newspapers</b>	<ul style="list-style-type: none"> <li>• The Pakistan Times</li> <li>• The Frontier Post</li> <li>• Daily The Nation</li> <li>• The Post Islamabad</li> </ul>
<b>Present Job</b>	<p><b>Senior Reporter</b></p> <p>The News Islamabad</p> <p>Beats: Supreme Court of Pakistan, Environment, Law and Justice, Human Rights, Health, Refugee problems .</p> <p>Also covers proceedings of the Parliament including National Assembly and Senate.</p>
<b>Freelance Writing</b>	<p>Contributing Features/Articles/News to Central Asia Online on Human Rights Issues.</p> <p>Link of Articles/features, published in Central Asia Online.</p> <p><a href="http://www.centralasiaonline.com/cocoon/caii/mobile/en_GB/features/caii/features/pakistan/2010/03/27/feature-01">http://www.centralasiaonline.com/cocoon/caii/mobile/en_GB/features/caii/features/pakistan/2010/03/27/feature-01</a></p> <p><a href="http://www.centralasiaonline.com/cocoon/caii/xhtml/en_GB/features/caii/features/pakistan/2010/06/18/feature-01">http://www.centralasiaonline.com/cocoon/caii/xhtml/en_GB/features/caii/features/pakistan/2010/06/18/feature-01</a></p> <p><a href="http://www.centralasiaonline.com/cocoon/caii/mobile/en_GB/features/caii/features/pakistan/2010/07/01/feature-01">http://www.centralasiaonline.com/cocoon/caii/mobile/en_GB/features/caii/features/pakistan/2010/07/01/feature-01</a></p> <p><a href="http://www.centralasiaonline.com/cocoon/caii/mobile/en_GB/features/caii/newsbriefs/2010/10/28/newsbrief-06">http://www.centralasiaonline.com/cocoon/caii/mobile/en_GB/features/caii/newsbriefs/2010/10/28/newsbrief-06</a></p> <p><a href="http://centralasiaonline.com/cocoon/caii/xhtml/en_GB/features/caii/features/pakistan/2010/08/24/feature-03">http://centralasiaonline.com/cocoon/caii/xhtml/en_GB/features/caii/features/pakistan/2010/08/24/feature-03</a></p>

<b>Recent Features Published</b>	<p>War on terror affected Pakistan's economy, June 2010, Published in CentralAsiaOnline.com, Cloth Merchants affected in recent floods in Nowshera, published in CentralAsiaOnline.com in August 2010.</p> <p>Tourism affected in Pakistan after 9/11 published July , 2003 run by AFP Child Labor in NWFP, published on BBC South Asia website, dated September 30, 2003.</p>
<b>Electronic Media</b>	<p>Nine months as a reporter at AVT Khyber, Pashtu News and entertainment channel, Islamabad.</p> <p>Beats Foreign Office and special assignments.</p>
<b>Teaching Experience</b>	Resource Person at AllamaIqbal Open University, Islamabad, teaching Mass Communication at MA level.
<b>Seminars/Work shops Covered</b>	<p>American Studies Conference (October 21, 2000) Islamabad.</p> <p>South Asian Regional Groundwater Management in Islamabad.</p> <p>Modern Broadcast Management by Pakistan Broadcasting Corporation in collaboration with Asia Pacific Institute for Broadcasting Development (July 2000)</p> <p>Devolution, The Reality, organized by the British Council, Islamabad (August 2000)</p>
<b>Languages</b>	<p>Pashtu (Native), English and Urdu</p> <p>During my work as reporter at AVT Khyber, Pashtu TV news and entertainment channel, I used to write news from English and Urdu into Pashtu language.</p> <p>Furthermore, I had to take international news from various tools of information including the internet and than translate it into pashtu. During the last US Presidential Elections, I had covered most of the public meetings of the presidential candidates during their election campaigns and than made news in pashtu which were aired by the channel.</p>
<b>References</b>	<p><b>Syed Abdul Siraj</b>  Chairman, Mass Communication Department,  AllamaIqbal Open University, Islamabad  Cell Phone: 0333 5209269</p>

## Presentation Slides


### Professional Responsibilities and Journalistic Ethics



Being a professional journalist one has to inform and educate the masses over court proceedings with the objectives of fairness, accuracy, relevancy and impartiality.

### Court Reporting Technical Responsibilities

*As compare to other beat reporting, court reporting is very much technical and responsible wherein a reporter has to be very much careful to inform the readers/listeners about a particular case, being heard in any court of law.*



### Background information about a case



#### Sources

- Appellants/Applicants/Petitioners
- Counsel or lawyer for the petitioner
- Cause list of the courts etc

### How to report a court case



- The job of court reporting is essentially the same for all the media - newspapers, radio and television - but there are some differences.

# Newspapers

## Information in a report

- 1-Names, addresses and places of origin of all defendants (plus ages, if considered important)
- 2-The offence or offences they are charged with
- 3-The plea of each defendant to each charge - guilty or not guilty
- 4-The court where the case is being heard
- 5-The name of the judge or magistrate hearing the case, especially when reporting the verdict or sentence
- 6-The names of the prosecution and defence lawyers

## Every report must also carry:

- 1-Details of full proceedings of a case
- 2-Arguments from both sides, the prosecution/Defense counsels
- 3-Reports submission either from defense or prosecution side
- 4-Judge's remarks, observation etc
- 5-Order of the court at the end of the proceedings
- 6-Information either to desk or readers about case's end or pending including dates for the adjournment.
- 7-Information outside the court(Media talk)

# Radio and Television

Court reports for radio and television cannot be as long as court reports in newspapers. This means that they must give fewer details, in order to concentrate on the story.

## Details for the report same as for newspapers

- The names of all defendants
- The offence or offences they are charged with, simplified as far as possible
- The plea of each defendant to each charge - guilty or not guilty
- The court where the case is being heard



## TICKERS Remarks and observations of Judges



- Court cases are full of the stories of dramatic events .Its a journalist job to cite the proceedings which lies behind the serious and dignified findings for readers, viewers or listeners.

## Full Attendance during the proceeding of a case



- 1-Taking complete notes of the proceeding*
- 2-Maintaining court's decorum*
- 3-Full attention to Judge's remarks, questions etc*
- 4-Arguments from both sides (prosecution, defendants)*
- 5-get hold of reports submitted before the court*

## To begin with the story Writing a catchy Intro



- Focus on all the information got during the proceeding
- Start either with the main order of the court (direction)
- Or with the observation or remarks, given by a Judge

## Colour -



- Colour in a news report means extra details which help the readers or listeners to visualize what happened - such as descriptions of the courtroom, of the people involved and how they spoke, and of the atmosphere. This is a good thing to do, but it must be done with great care.

## Colour



- A case reporting for the masses must be attractive which should fetch reader, listener or viewer interest as involvement of a prominent public figure; others will deal with crimes which were widely reported at the time - a mass murder, for instance. Reporters usually want to add some colour to their reports of these big trials.

## Colour



- Readers and listeners may be very interested to know what the defendant and the witnesses wore, and whether they appeared nervous or confident while giving evidence. However, none of this information is privileged, and it could be considered by the judge to be *contempt of court*

## Balance



- A court case needs both sides of the case to be heard - the prosecution and the defence. Only then can the jury or the judge decide whether or not the defendant is guilty. If justice is to be seen to be done, any reports of that case must present a fair balance of both sides of the case.
- If a case is heard all in one day (or all in one week, as far as a weekly newspaper is concerned), the report must carry both prosecution and defence cases, at roughly equal length. If the case lasts for a number of days, then roughly equal space must be given to the defence case as was given to the prosecution case.

## Accuracy



- Accuracy is the major concern - If a report is not accurate, it is not privileged. So it is vital that an accurate note is taken of exactly what is said by the judge or magistrate, the lawyers and witnesses. It is prohibited in the court of Pakistan to record or film. For this reason, it is essential that court reporters can take shorthand at no less than 80 words per minute, and preferably 100.



## In-camera



- In certain circumstances, the court may decide to hear evidence *in camera* which means literally "in the room", and in practice means "in private". No reporters or other members of the public are allowed into the courtroom while that evidence is recorded.
- Even if you somehow manage to find out what was said, you are not allowed to publish it.
- A court will normally only hear evidence in camera if it involves national security, evidence or legal arguments which a judge does not want the jury to hear or in certain cases involving children.

# Journalistic Ethics



□ Professional Responsibilities and Journalistic Ethics

## The right to true information



- ***People and individuals have the right to acquire an objective picture of reality by means of accurate and comprehensive information as well as to express themselves freely through the various media of culture and communication.***

## Dedication to objective reality



- The foremost task of the journalist is to serve the people's right to true and authentic information through an honest dedication to objective reality whereby facts are reported conscientiously in their proper context, pointing out their essential connections and without causing distortions, with due deployment of the creative capacity of the journalist, so that the public is provided with adequate material to facilitate the formation of an accurate and comprehensive picture of the world in which the origin, nature and essence of events, processes and state of affairs are understood as objectively as possible.

## Social responsibility of Journalist



- Information in journalism is understood as a social good and not as a commodity, which means that the journalist shares responsibility for the information transmitted and is thus accountable not only to those controlling the media but ultimately to the public at large, including various social interests. The journalist's social responsibility requires that he or she will act under all circumstances in conformity with a personal ethical consciousness.

## Professional integrity



- The social role of the journalist demands that the profession maintain high standards of integrity, including the journalist's right to refrain from working against his or her conviction or from disclosing sources of information as well as the right to participate in the decision-making of the medium in which he or she is employed. The integrity of the profession does not permit the journalist to accept any form of bribe or the promotion of any private interest contrary to the general welfare. Likewise, it belongs to professional ethics to respect intellectual property and, in particular, to refrain from plagiarism.

## Respect for privacy and human dignity



- An integral part of the professional standards of the journalists is respect for the right of the individual to privacy and human dignity, in conformity with provisions of international and national law concerning protection of the rights and the reputation of others, prohibiting libel/slander and defamation.

## Respect for public interest



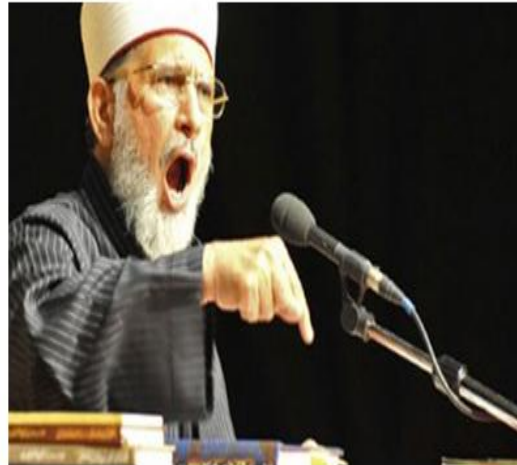
**The professional standards of the journalist prescribes due respect for the national community, its democratic institutions and public interest.**



## Respect for universal values and diversity of cultures

A true journalist stands for the universal values of humanism, above all peace, democracy, human rights, social progress and national liberation, while respecting the distinctive character, value and dignity of each culture, as well as the right of each people freely to choose and develop its political, social, economic and cultural systems. Thus the journalist participates actively in social transformation towards democratic betterment of society and contributes through dialogue to a climate of confidence in international relations conducive to peace and justice everywhere, to détente, disarmament and national development. It belongs to the ethics of the profession that the journalist be aware of relevant provisions contained in international conventions, declarations and resolutions.

## INTERNATIONAL THE NEWS



## Tahirul Qadri loses temper after Supreme Court rejects petition

Sohail Khan

Thursday, February 14, 2013  
From Print Edition

- **ISLAMABAD:** Dr Tahirul Qadri, the chief of Tehrik-e-Minhajul Quran (TMQ), yelled at the Supreme Court judges on Wednesday when the apex court bench dismissed his petition seeking reconstitution of the Election Commission of Pakistan (ECP). The Supreme Court dismissed Dr Tahirul Qadri's petition as he failed to establish that his fundamental right had been infringed upon.

The court, however, decided not to proceed against Tahirul Qadri for his uncalculated tirade during the concluding arguments. Otherwise, he could have been charged with contempt of court for his harangue to undermine the authority of the court.

A three-member bench of the apex court, headed by Chief Justice Iftikhar Muhammad Chaudhry and comprising Justice Gulzar Ahmed and Justice Sheikh Azmat Saeed, dismissed Dr Tahirul Qadri's petition ruling that no violation of fundamental rights was noticed nor pointed out by the petitioner in his arguments.

"For reasons to be recorded later on, Dr Tahirul Qadri has failed to establish the case for exercising discretionary jurisdiction under Article 184(3) of the Constitution," the court ruled in its short order.

Dr Qadri had filed a petition in the apex court under Article 184(3) of the Constitution praying to the apex court to declare void ab initio the appointment of Chief Election Commissioner (CEC) and four ECP members as these were not done in accordance with the provisions of Article 213 and 218 of the Constitution.

The court in its order ruled that no violation of fundamental rights had been noticed nor pointed out by the petitioner during his arguments.

"The petitioner has failed to establish his bona fide in view of the fact and circumstances which have been noticed during the hearing to invoke jurisdiction of court coupled with the fact that the peculiar circumstances, the petitioner has no locus standi to claim the relief at this stage as has been prayed for," says the short order.

The court further ruled that the petitioner, inter alia, for the reason being the holder of dual citizenship was not qualified to contest the election to parliament in view of the bar under Article 63(1) of the Constitution.

"However, it is loudly and clearly observed that as a voter like other overseas Pakistanis, whose names have been incorporated in the electoral list, he can exercise his right of vote as this right is recognised under the Constitution and it has also been upheld by this court," the court ruled.

The court, in its order, further said that it was essential to note that at the time of concluding his arguments, the petitioner started casting uncalled-for aspersions on the members of the bench which are tantamount, prima facie, to undermining the authority calling for action against him for contempt of court under Article 204(3) of the Constitution read with Section 3 of the Contempt of Court Ordinance 2003.

"However, we, while exercising constraint, have decided not to proceed against him following the principle that such jurisdiction has to be exercised sparingly on case to case basis," the court concluded and dismissed the petition.

Earlier, during the course of the hearing, the Chief Justice observed that there are more than 100 registered political parties, 342 elected members of the National Assembly and many political parties that are not part of the assemblies, yet no one but Tahirul Qadri had any reservations about the Election Commission.

The chief justice had asked Qadri how his rights were being infringed upon, adding that he would have to prove the purity of his intentions since he had suddenly appeared on the national stage.

Dr Qadri replied that his dual nationality was being subjected to a media trial, and his loyalty was being brought into question. He contended that he be allowed to cite different court rulings. The chief justice, however, asked him to argue about his fundamental rights (that have been infringed upon).

The chief justice observed that the petition had been submitted in a personal capacity, and the petitioner was not eligible to contest elections, therefore, he must prove his right to file the petition.

Dr Qadri however, contended that for three days, he was being put on trial, by asking such questions that the Constitution does not even allow to be asked. He questioned as to whether the court considered foreign nationals as second and third class nationals.

The Chief Justice replied that everyone, who appears before the court, was liable to be questioned. During the hearing, Tahirul Qadri waved a photo of the oath-taking ceremony of the Chief Justice from former military ruler Pervaiz Musharraf. On this, the court barred Qadri from continuing his arguments.

The court observed that Dr Qadri had ridiculed the court, adding that the petitioner's intentions appeared to be mala fide. Meanwhile, Attorney General Irfan Qadir, while taking the rostrum, contended that Tahirul Qadri satisfied the requirements in terms of locus standi. The chief justice told the AG that the court had questioned the petitioner about the fundamental rights as well legal justification concerning his right to file the petition. The chief justice asked the AG for his view about the questions put by the court to the petitioner.

Irfan Qadir replied that the petitioner's intentions could not be questioned in the absence of evidence to support the claim of insincerity. The chief justice replied that a democratic government was about to complete its term while elections were being held however, a person came and asked for disbanding all the things. Should it be considered as sincerity of the said person?

Meanwhile, soon after the court's verdict, Dr Tahirul Qadri, while talking to media persons outside the court, termed the judgment as unconstitutional, saying that he was not given a chance to discuss even a single line of his petition in the past three days. He said that his nationality was attacked in the court rather than hearing his arguments. He termed the court's verdict as political and against the law and the Constitution.



**The court, however, decided not to proceed against Tahirul Qadri for his uncalled-for tirade during the concluding arguments. Otherwise, he could have been charged with contempt of court for his harangue to undermine the authority of the court.**



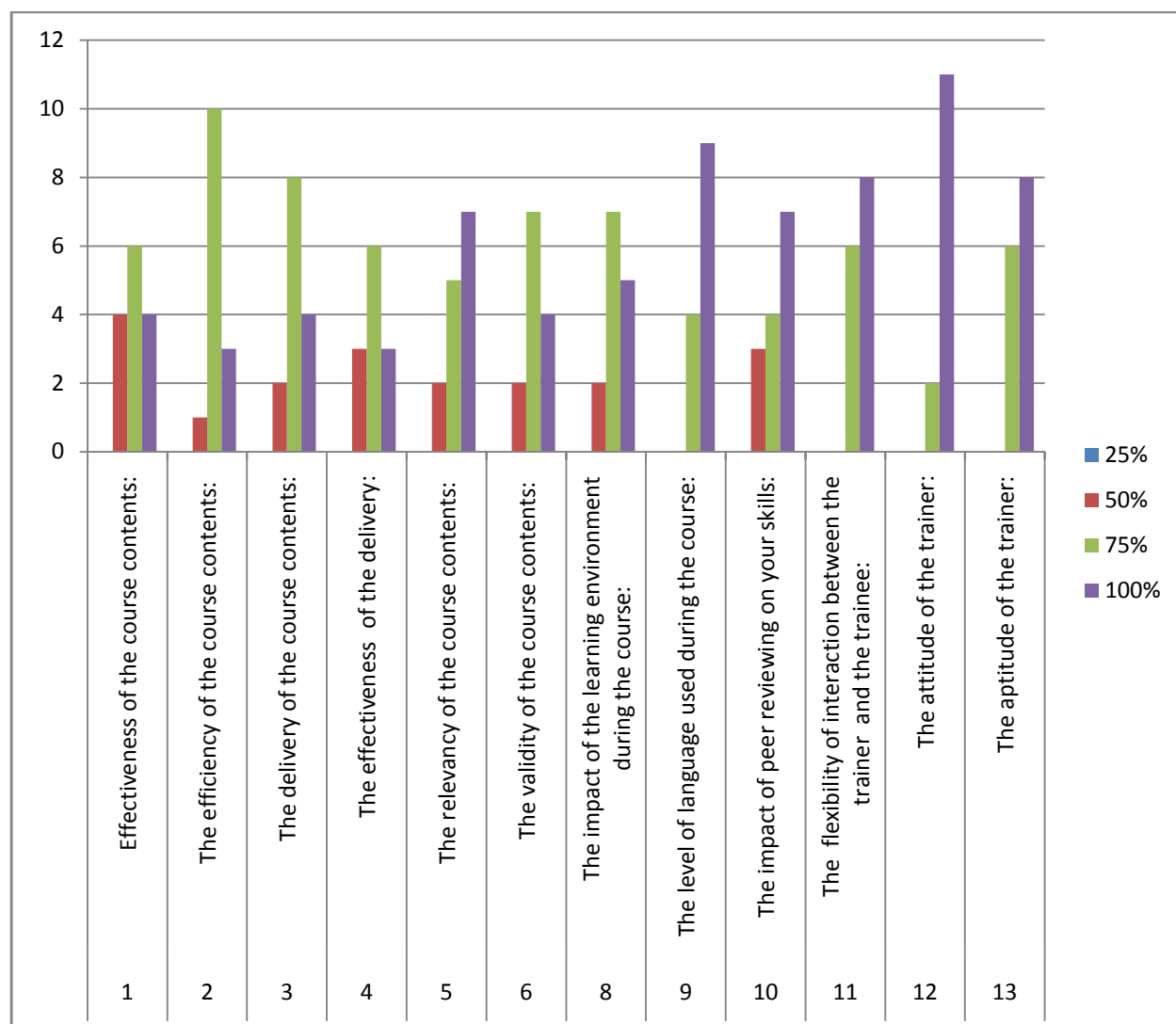
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# THANK YOU



**Sohail Khan  
Supreme Court Correspondent,  
The News International,  
Islamabad -Pakistan**

## Feedback



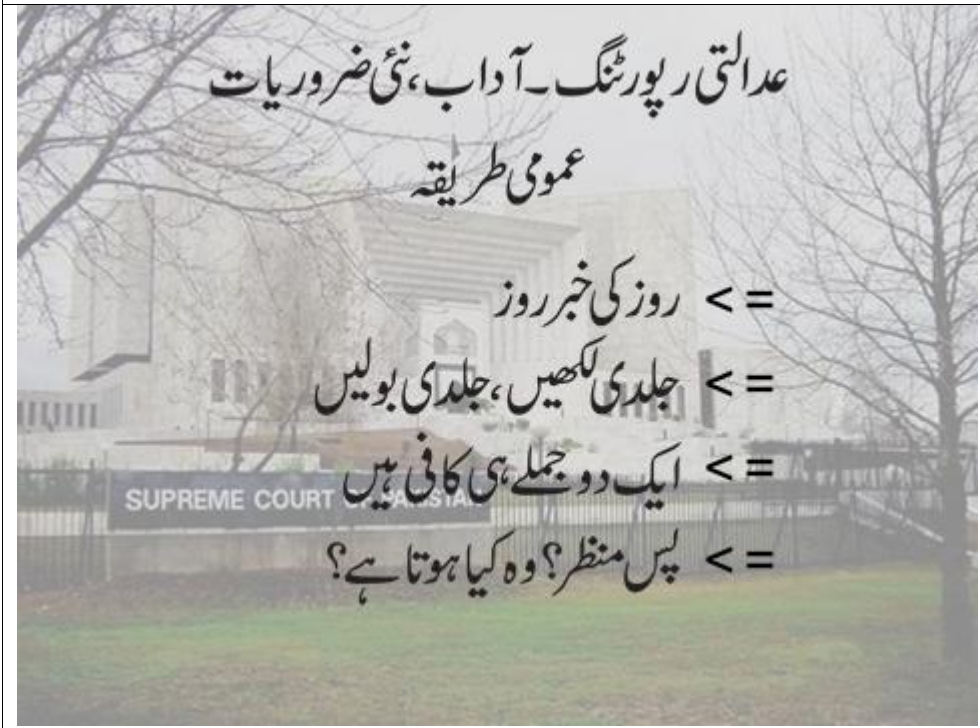
## **Syed TalatHussain**

Syed TalatHussain is Pakistan's leading journalist. He has spent well over two decades in the profession and has held various important positions in prestigious media organisations. He is former editor The News, director News and Current Affairs Aaj television, Senior Anchor Dawn news, producer CNN, Correspondent Time magazine, producer American Broadcasting (ABC). At present he is working with Express news as Senior Anchor. He has reported extensively from the field in Pakistan, Afghanistan, the Middle East, Europe and the UK and has written for Los Angeles Times, The New York Times, and India Today besides many other publications of repute.

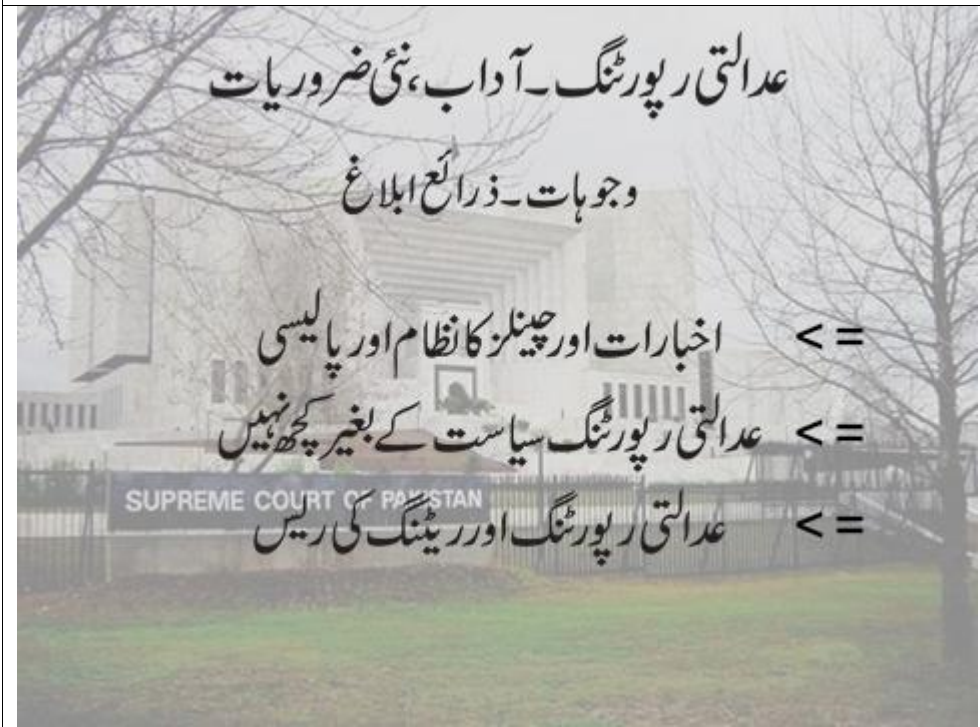
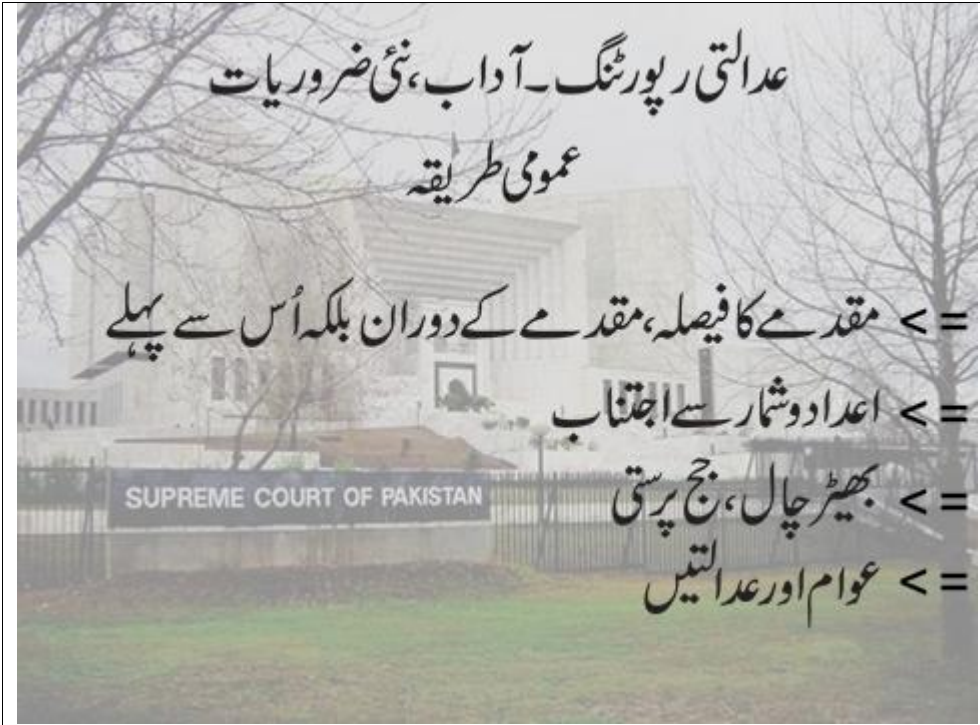
He is frequently invited to lecture at prestigious forums like, National Defence University of Pakistan, Air War College Pakistan, Naval War College Pakistan, Foreign Services Training Academy of Pakistan, Information Services Training Academy of Pakistan, Quaid-e-Azam University (International Relations Department).

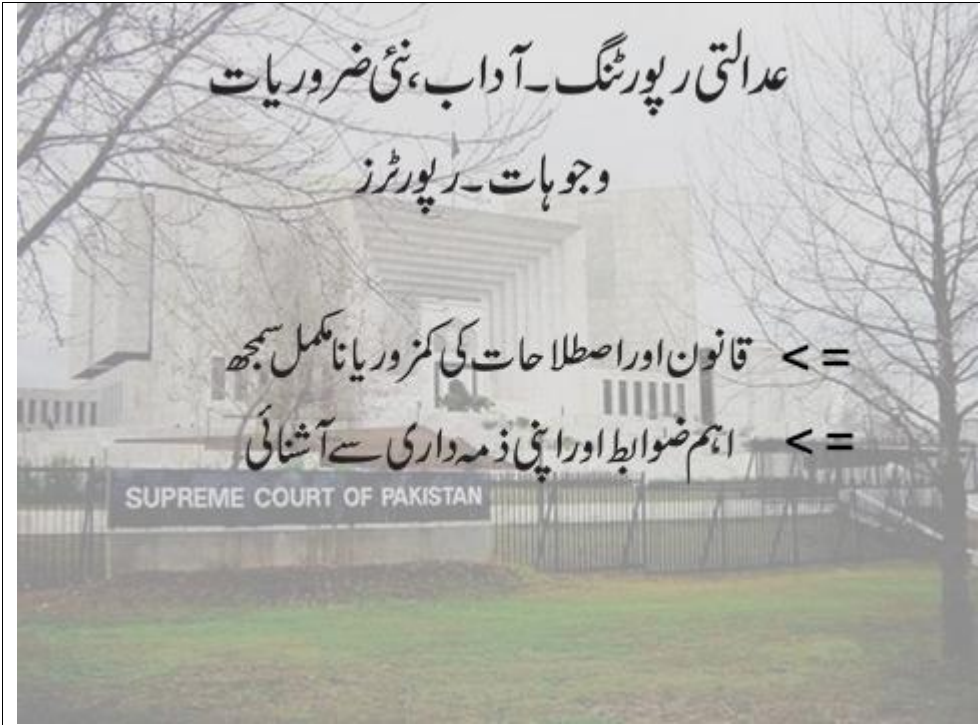
He has done a series of manuals on editing and scripting. He has put together an electronic media manual for reporters and producers in collaboration with Asian College of Journalism, India and PANOS, a regional media organization based in Nepal. He has a Master's Degree in International Relations. He is widely-travelled and speaks English, Urdu, and Punjabi.

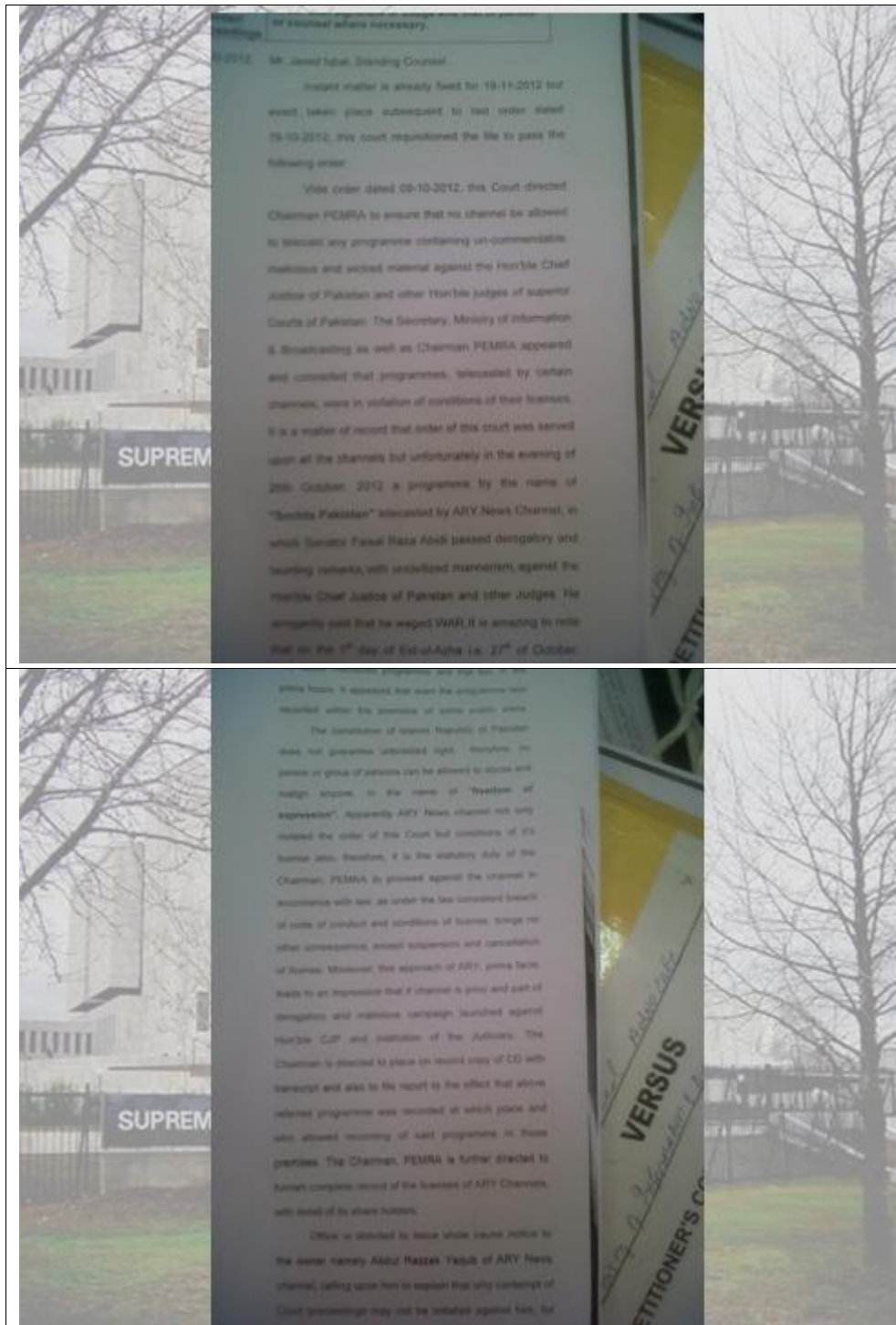
## Presentation Slides



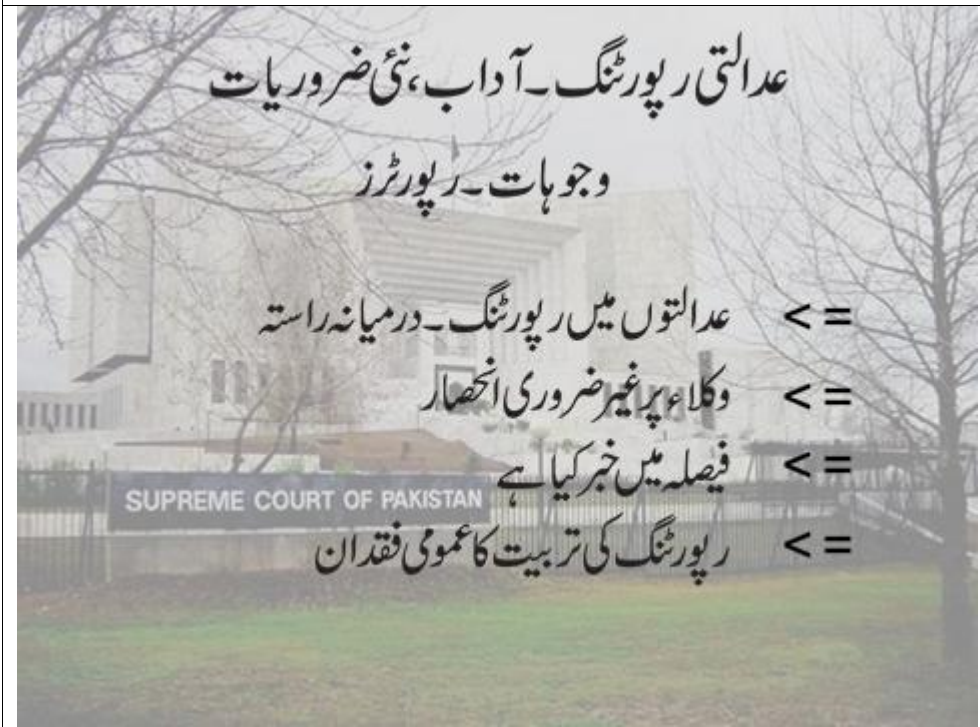
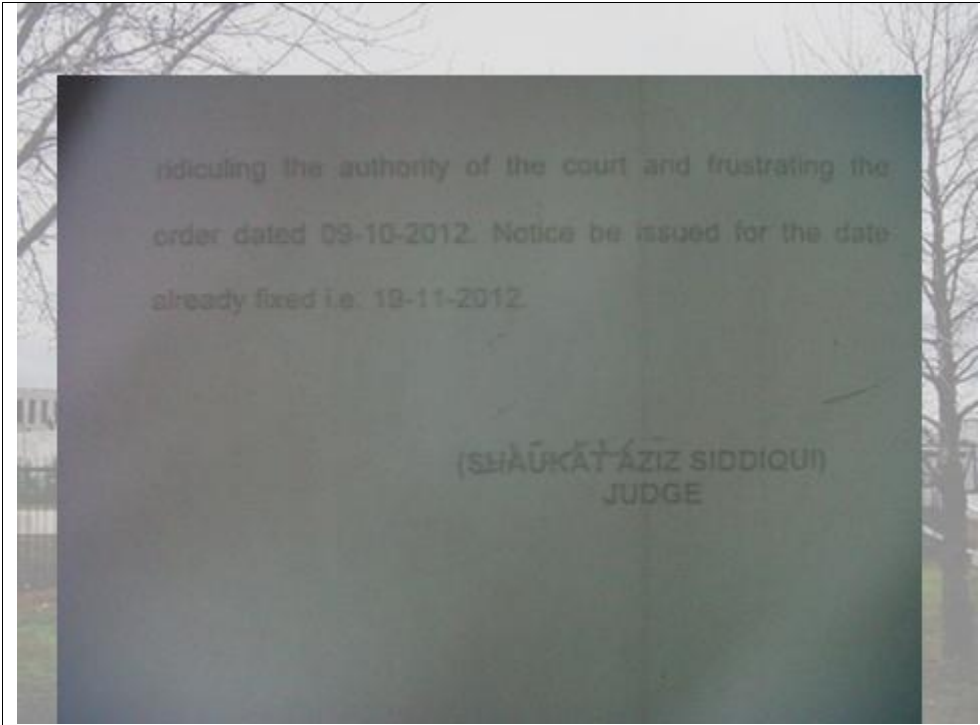












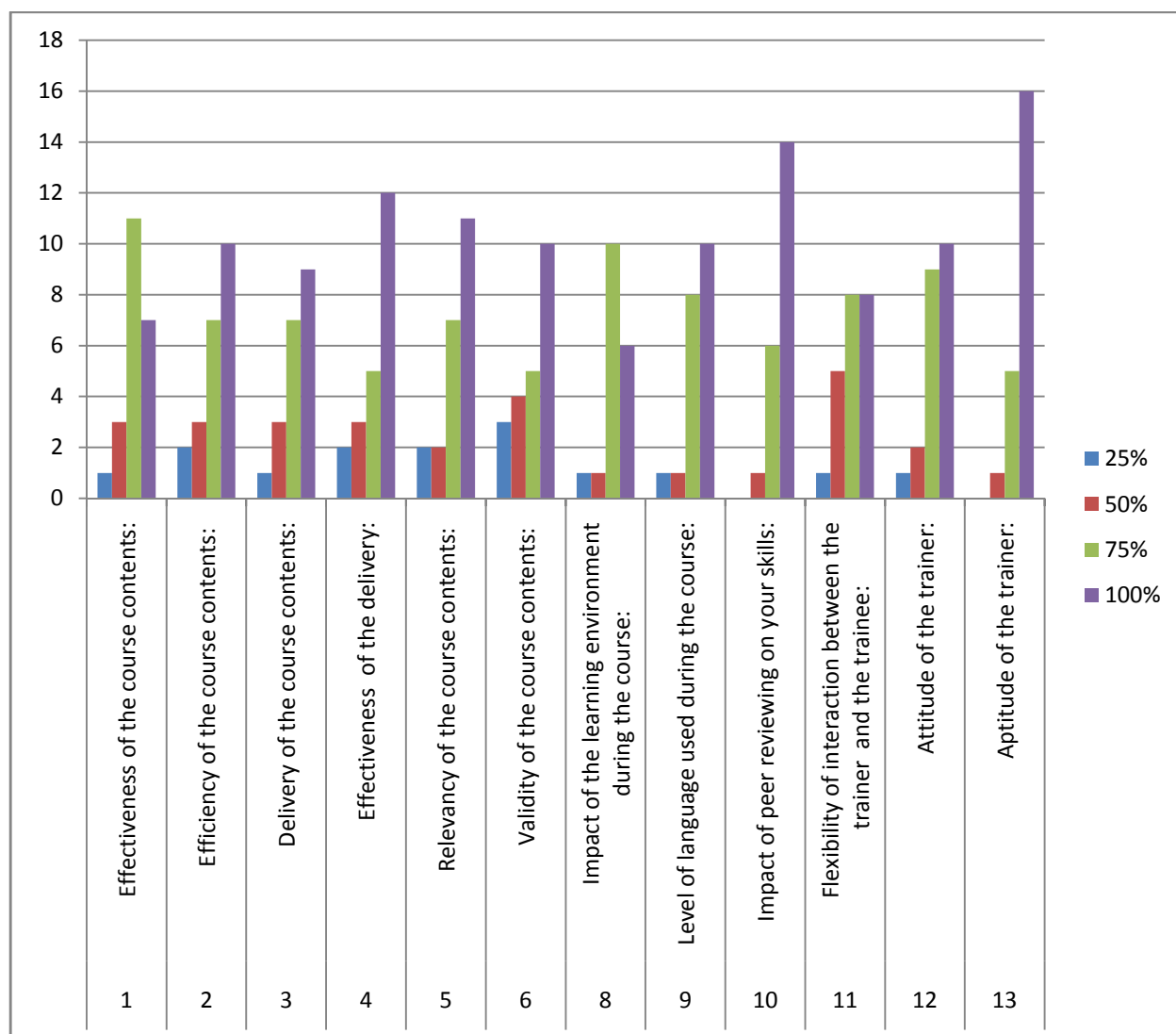
## عدالتی رپورٹنگ۔ آداب، نئی ضروریات وجوہات۔ رپورٹرز

- <= جز کے ریمارکس ہی خبر ہیں
- <= کیسز زیادہ رپورٹرز کم
- <= پڑھے بغیر خبر بناؤ
- <= خبر تصویر کے بغیر

## عدالتی رپورٹنگ۔ آداب، نئی ضروریات اصطلاحات

- <= قانون و آئین و کورٹ کے معاملات کی سمجھ بوجھ
- <= عدالتی رپورٹرز کی تنظیموں کی باقاعدہ رجسٹریشن
- <= جوڈیشل اکیڈمی کی جاری کردہ سرٹیفیکیٹ والے کورسز
- <= میڈیا تنظیمیں، پریس کلب مل کر کتنا بچے بنا میں
- <= اردو میں فیصلے اور غیر ضروری ریمارکس سے اجتناب

## Feedback



## Annexure (A)

### Address of the Chairman / Hon'ble Chief Justice

*Participants of Workshop; Resource persons; Ladies and Gentlemen.*

*Assalam-O-Alaikum!*

My pleasure and pride to welcome bunch of journalist. I use to call “mirror of modern society” in this workshop. In the world of today media has become as necessary as food and clothing. It has played significant role in strengthening society. I am of considerate view that these days, alongwith three pillars of State including, Legislature, Judiciary and Executive, your existence is also vital as 4<sup>th</sup> indispensable component. Being mindful of this important position, I included your training in Act of this Khyber Pakhtunkhwa Judicial Academy. This is now mandate of this Academy that not only all components related to justice sector but all allied departments shall have opportunity to hone their skill in this center of academics.

Society is influenced by media in so many ways. It is the media for the masses that helps them to get information about a lot of things and also to form opinions and make judgments regarding various issues! It is the media which keeps the people updated and informed about what is happening around them and the world. Everyone can draw something from it.

No doubt, media has played significant role in making world a global village and to reduce the communication gaps amongst the people living in the far areas but unfortunately, media these days has become a COMMERCIALIZED SECTOR, eying the news which are hot and good at selling. The goal is to gain the television rating points.

The media affects people's perspective. Too much intervention of media in everything is a matter of concern. Media can be considered as “watch dog” of political democracy. Through the ages, the emphasis of media on news has camouflaged. Media these days, tries to eye the news, which could help them to sell the information that is gathered worldwide, so that they could pave a way of success and fame of their respective channels. Fm radios, newspapers, information found on net and television are the mass medias that serve to reduce the communication gap between the audience, viewers and the media world. For the sake of publicity and selling, important figures, their lifestyles are usually targeted. Unimportant and irrelevant news, that usually have no importance are given priority and due to a reason or the other, they get onto the minds of the viewers and in this ways many gradually, lose their importance!

I believe that strict resort to journalistic ethics through sincere reporting in responsible manner would serve as great force in building the nation.

Truth with responsibility should be essence of your job. I will again emphasize that there should be no race amongst journalists to score points on early bringing news and catching attention by

making news more and more sensational. Focus should be on essence of information and not merely winning the race.

Wish you best of luck.

God bless you.

Thank you.

*Pakistan Zinda Bad*

**Dost Muhammad Khan**  
Hon'ble Chief Justice,  
Peshawar High Court, Peshawar



## Annexure (B)

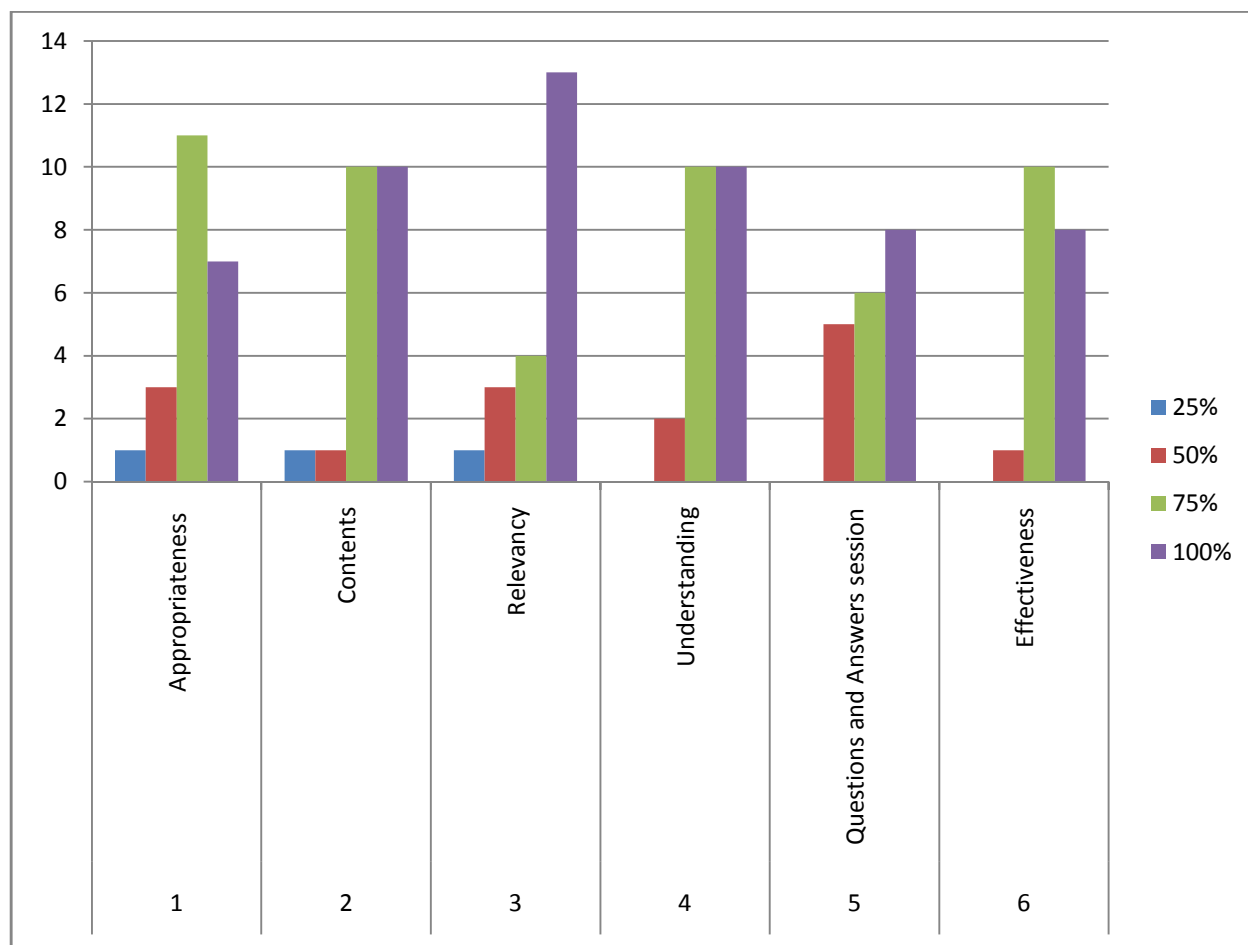
### Concluding Remarks of the Director General

*Hon'ble the Chairman, Dr Shah Jehan, Chairman, Department of Journalism, University of Peshawar,  
Syed Tallat Hussain, Senior Journalist from Islamabad,  
Officers of the Academy,  
Participants of course, ladies and gentlemen.*

Mr. Tallat Hussain said in his lecture that regular certificate courses on court report should be designed and imparted to court reporters. I commit that the Academy has the will and capacity to conduct such a certificate course. However, given the busy schedule of the Academy for the current year, we may be able to organize such courses late this year or early next year. My lord, the Academy crossed another milestone today by conducting this one-day workshop for court reporters. This course was announced on 19 July, 2012, at the inaugural ceremony of the Academy.

Journalism is a profession of the pen. Journalists need regular and proper training, particularly on court reporting, which is a highly technical area. Well trained court reporters may play a very significant role to help promote the right to information, as a fundamental right. We designed this course in light of a series of discussion with senior journalists working in the area of court reporting. Our thanks are due to all of them. We are highly obliged to Dr Shah Jehan, Chairman, Department of Journalism, the University of Peshawar. Dr Jehan provided us intellectual and academic support. He graciously accepted our offer of participation in this concluding ceremony. I am highly grateful to Syed Tallat Hussain, an Islamabad-based Senior Journalist and Mr. Sohail Khan, Supreme Court Reporter of Daily the News International, who travelled all the way long from Islamabad to Peshawar, for delivering lectures. Dr. Adnan Khan, Director Research, also did a commendable job by delivering a lecture on the freedom of expression. I must admit that due to shortage of time, we had to miss the lecture of Qazi Attaullah, Director Instructions, on the Islamic perspective of court reporting. Last, but not the least, I must extend my congratulations to Dr Khurshid Iqbal, Dean of Faculty and Mr. Salim Khan, Senior Director Administration, in organizing and conducting this event successfully. Indeed, our faculty and administration work in close liaison with each other. The credit for the support to both wings must go to Mr. Asghar Ali Salarzai, the blooming guy of the Academy.

**Hayat Ali Shah**

**Annexure (C)****Overall Training Feedback**

## Annexure (C)

## List of Participants

S/No	Name	News Paper/ T.V Channel
1	ShahzadAnjum	Daily Aaj
2	Nadir Khawaja	Daily Ausaf
3	Akhter Amin	Daily News
4	Umar Farooq	Daily Express Tribune
5	Zeeshan Anwar	Daily Express
6	SaifUllahSaifi	Geo News
7	MusarratUllah	Dunya
8	AamirJamil	AAJ
9	ShaziaNisar	ARY
10	Hassan Tariq	Dawn News
11	AzmatGul	WAQT
12	Abdul Salam Wazir	PTV
13	Malik HashmatUllah	Daily Pakistan
14	Affan-ul-Haq	Daily NaeBaat
15	RiazGhafur	Daily Pakistan
16	Mehmood	Swabi Times
17	IkramUllahArif	Lead Pakistan
18	Muhammad Nadeem	Afghanistan Times
19	Sayad Kamran Shah	Daily Subh
20	AbidUllah	Campus Radio
21	Ali Imran Bangash	Campus Radio
22	Amjad Ali khan	Radio Mezan

## GROUP PICTURE



### KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

One day Workshop for Journalists on Court Reporting & Journalistic Ethics  
(21-February, 2013)

