

Should cameras be
used in the
courtroom?



**ASSIGN
BUSTER**

Introduction

Use of cameras in the courtroom involve live recording and broadcasting and is usually allowed during most court proceedings. During the proceedings, if allowed, different media and press are allowed to use recording equipment in the courtroom and are permitted to air the proceedings to demonstrate to the public what is happening in the courtroom during a particular trial or hearing. The broadcasting, televising and taking of pictures is also usually allowed. Use of cameras in the courtroom has both advantages and disadvantages to the parties involved and also to the Judge of that particular Court. (Campbell al, 2017). This paper will give a detailed argument in support of and against the use of cameras in the courtroom.

Part A: Argument in Support of Using Cameras in the Courtroom

Use of cameras in the courtroom allows the members of the public to follow court proceedings worldwide. This is advantageous to the audience as they don't have to travel to the courtroom to follow what is happening. This allows them to follow different court proceedings by tuning in to the regular television channels which are easily accessible. This expansion of the trial audience has helped to further the education of the members of the public on the judicial process and the procedures that are followed in the courtroom (Youm, 2012). This, in turn, will result in the public having more of an understanding of the judicial system, as well as people will have more confidence in the courtroom should they have to appear in the courtroom during any litigation that they may find themselves in. Therefore, allowing

cameras in the courtroom will benefit the public as far as judicial matters are concerned.

Professionalism of the judicial officers will be enhanced. When court proceedings are being broadcasted and recorded, Judges may go the extra mile to make sure that their decisions are fair and that they look more professional. This is because they will be watched and more closely scrutinized by the public who are following all the activities that are taking place in the courtroom. As such, to avoid any embarrassment or criticism from different parties in case of any mistake, the Judges will have to carry themselves in the most professional way. Additionally, with live recording and broadcasting, the attorneys who are representing the parties may tend to market themselves in such a way in hopes that they may get a promotion or be hired by bigger firms just because they conducted themselves in a professional manner and had a positive outcome during a recorded and televised proceeding. With all of these examples, the professionalism among judicial officers will most likely be improved (Youm, 2012).

Since the courtroom is a public forum, it is a right that citizens have to know what is going on in that courtroom. The only way the public can monitor this is through live broadcasting and recording of the court proceedings, which ensures that they are not left behind in the matter being litigated. As such, when there are cases involving high profile people in society, the members of the public will be very eager to know what is happening in a particular case. Since everyone who is interested in the case cannot fit in the courtroom and to ensure that the information and details of the case reach the interested members of society, cameras should be allowed in the

<https://assignbuster.com/should-cameras-be-used-in-the-courtroom/>

courtroom to avoid interfering with this right that citizens have. This will enable the members of the public to get all the information on the court cases, and that information will also be available on different social media platforms.

With advanced technology, use of cameras in the courtroom has become like a fashion and also a means of reducing the cumbersomeness of following the proceeding physically in the courtroom (Papandrea, 2012). The public will be able to view and watch these cases in the comfort of their homes, therefore reducing the monotony of traveling to the courthouse just to follow the case, which in some instances may be taking place on a daily basis. In addition, technology advancement has resulted in the use of CCTV cameras which allow the public to view what is happening inside and outside the courtroom. This technology should help in the prevention of unethical acts like bribing or assaults, which will also help in reducing such vices in the courtroom.

Therefore, cameras have an oversight role in the courtroom where the judicial officers of the Court will be able to follow everything on the screen, as they cannot possibly follow everything happening inside and outside their courtroom without cameras and the live feed. This process is much easier with high-tech cameras.

The use of cameras in the courtroom, which allows live broadcasting and recording, also saves the members of the public from unnecessary expenses. These expenses include money spent on traveling, for example, fuel for vehicles or airline tickets, in case the proceedings are in a different state or possibly a different country (Tilley, 2013). The live broadcasting enables the interested public to follow the proceedings in the comfort of their own home

<https://assignbuster.com/should-cameras-be-used-in-the-courtroom/>

and to save their money that they would have spent in travel expenses. Additionally, time spent traveling to these places will also be saved. Interested parties can use this time for employment or family time. Therefore, the use of cameras in the courtroom will have an economic advantage to the members of the public, and they should be allowed.

Part B: Argument Against Use of Cameras in the Courtroom

Using cameras in the courtroom may affect the witnesses present in the courtroom. Using cameras exposes the identity of witnesses present in the courtroom. This identity reveal may instil fear, and they may not testify as required. This could be a problem if the witnesses do not give all the information that they intended to produce and were expected to produce. The cameras may also make the witnesses more uncomfortable and stressed just knowing that their testimony for or against the suspect in the courtroom is being broadcasted or recorded live (Nasheri, 2002). This could be a challenge to the whole process, as the witness may fear discrimination in the ongoing case by members of the public who are watching the proceedings. This may affect the outcome of the case because the crucial evidence required in the matter will not be relayed to the Judge and/or jury and may deny one party the justice that they feel they deserve (Cohn & Dow, 2002). Therefore, cameras in the courtroom will undoubtedly bring more distractions in the courtroom.

There is the possibility that the Judge may end up losing control of the proceedings in the courtroom. Whatever activity is going on may be influenced by the broadcasting group to suit their viewers. This may affect

the whole proceedings since any decision that the Judge is required to make on the matter has to involve the press for proper coverage. This may prevent the Judge from having full control of the proceedings and may even delay the proceedings simply because the broadcasting agents have to be consulted for recording and broadcasting purposes. Therefore, allowing cameras in the courtroom will deprive the Judges from fully controlling all the matters happening in the courtroom.

Furthermore, cameramen may tend to target certain participants of the case and not target others. For example, if there are popular individuals like famous politicians or rich and famous business people involved in the case, cameramen may have more of a tendency to focus on those people. This extra attention may have a negative impact on them, as they will be portrayed to the members of the public as being criminals or as the guilty party in the case (Cohn & Dow, 2002). The extra attention could also make them more prone to defamatory statements causing a negative effect on the individual and their family members as their reputation could be greatly tarnished. In addition, the privacy of such individuals may be compromised as members of the public may start following the individual wherever they go.

By using cameras in the courtroom, the lawyers and other parties involved in the case may shift their attention from the case at hand to the television cameras. The parties involved in the case, which include the Judge or Magistrate and the lawyers on both sides, may start playing to the television cameras with the intention of looking for their day or week of fame. This would prevent them from focusing on the basic elements of the case. It can

<https://assignbuster.com/should-cameras-be-used-in-the-courtroom/>

affect the proceeding as the parties whose case is being tried to the Judge or the jury may feel unsatisfied with the manner in which it is conducted. These sideshows may result in the distortion and misinterpretation of the information in the case, as the participants may focus on trying to please the public rather than giving the correct information. Therefore, the decision that is to be determined by the proceeding may be based on wrong and false information which will affect the ruling.

Use of television cameras may also result in the decision or the ruling of the case being made based on passion and emotions rather than the reason and ration from the presented materials outlining the facts of the case. As a result, the proceedings may possibly be portrayed as being more sensitive, and that may not be the case. The result of this is a poor decision or outcome, and the other party would not see justice rendered. To avoid these problems, the proceedings should not be televised, and the rulings should be made accordingly and should be based on the material facts presented to the Court or the jury.

Furthermore, with cameras in the courtroom, those jurors who are mandated with the task of being on television may not concentrate on the case as they should. The effect of this is that they are unable to contribute fully to the ruling, as they never had the chance of grasping everything that was being said in the courtroom because their attention was focused on the television cameras instead of the information presented. Lastly, by using cameras in the courtroom, it may portray a distorted picture of the court proceedings to the members of the public, which will further negate the people's perception of the judicial process as being unfair and corrupt. The public's trust of the

<https://assignbuster.com/should-cameras-be-used-in-the-courtroom/>

judicial process will worsen as they will no longer be satisfied with the decisions made. This is not in the Courts' best interest because there are those citizens who already believe that there is unfairness in the judicial process, and this distrust will continue to grow.

Conclusion

In conclusion, the use of cameras in the courtroom has both advantages and disadvantages as discussed above. The impact of televised court proceedings has an effect on all of the parties involved in the case. This provision may influence the decision and the ruling made on the case either positively or negatively and also may make the parties to the case either satisfied or unsatisfied with the proceeding. The public will be denied the right to the information if the cameras are not used in the courtroom, but, on the other hand, using the cameras in the courtroom may compromise the privacy of the court case. Lastly, use of cameras may also influence the quality of the rulings made in court cases in the various ways as were discussed above.

REFERENCES

- Youm, K. H. (2012). Cameras in the Courtroom in the Twenty-First Century: The US Supreme Court Learning from Abroad. *BYU L. Rev.* , 1989.
- Cohn, M., & Dow, D. (2002). *Cameras in the Courtroom: Television and the Pursuit of Justice* . Rowman & Littlefield.
- Papandrea, M. R. (2012). Moving Beyond Cameras in the Courtroom: Technology, the Media, and the Supreme Court. *BYU L. Rev.* , 1901.

- Nasheri, H. (2002). *Crime and Justice in the Age of Court TV*. LFB Scholarly Pub.
- Tilley, C. C. (2013). I Am a Camera: Scrutinizing the Assumption that Cameras in the Courtroom Furnish Public Value by Operating as a Proxy for the Public. *U. Pa. J. Const. L.* , 16 , 697.
- Campbell, S., Green, T., Hance, B., & Larson, J. (2017). THE IMPACT OF COURTROOM CAMERAS ON THE JUDICIAL PROCESS. *Journal of Media Critiques [JMC]* , 3 (10).