



J. TORODE  
HER MAJESTY'S  
GREFFIER

REGISTRAR-GENERAL  
BIRTHS, MARRIAGES,  
DEATHS

*Issued 24<sup>th</sup> August, 2015*

**PRACTICE DIRECTION NO 4 OF 2015**

**ACCESS TO AUDIO RECORDINGS OF COURT HEARINGS**

1. This Practice Direction is issued in order to:
  - a. clarify the practice and procedure governing access to transcripts and CD or Digital Audio recordings of court proceedings;
  - b. ensure that all parties have equal access to court recordings, whether or not they are legally represented;
  - c. bring the practice in this Island into line with the practice elsewhere; and
  - d. facilitate the timely production of transcripts where they are urgently required.
2. This Practice Direction applies to criminal, civil and family proceedings in the Magistrate's Court, Royal Court and Court of Appeal. It applies to all parties, whether or not legally represented.
3. Where court proceedings, including judgments, are recorded by tape or other mechanical or digital means there is generally no right, either for a party or non-party, to listen to or receive a copy of such a recording. This is to minimise the risk of misuse of such recordings.
4. Where a party knows, prior to the start of a lengthy hearing, that a transcript will be required, of all or part of the proceedings, during the course of the hearing, the Deputy Greffier should be advised exactly what is required and the time by which it will be required. The party will be provided with an estimate of the cost and, if the estimate is accepted, the Court reporters will make the necessary arrangements to produce the transcript either locally or elsewhere from approved transcribers.
5. Where, during the course of a hearing, a party wishes to listen to the audio recording in order to ensure that an accurate note has been taken of any part of the proceedings, an application shall be made to the Deputy Greffier who may refer to the presiding judge. Permission will normally be granted subject to payment of any fee payable.
6. Any party or person may require a transcript or transcripts of the recording of any hearing to be supplied to him, upon payment of the charges authorised by any scheme in force for the making of the recording of the transcript. Transcripts are ordered by sending a request by email to the Court reporters, as is the current practice. The party will be provided with an estimate of the cost and, if the estimate is accepted, the Court reporters will make the necessary arrangements to produce the transcript either locally or elsewhere from approved transcribers.

7. Where the person requiring the transcript or transcripts is not a party to the proceedings and the hearing or any part of it was held in private paragraph 6 does not apply unless the court so orders.
8.
  - a. A person who has obtained a copy of the official transcript of proceedings or a judgment may apply, upon payment of the prescribed charge, for permission to listen to or receive a copy of an audio recording of the proceedings, the judgment, or a part thereof.
  - b. Applications should be made to the judge hearing the proceedings or, if the proceedings are taking place in the Court of Appeal, to the presiding judge.
  - c. Permission will only be granted in exceptional circumstances, for example, where there is cogent evidence that the official transcript may have been wrongly transcribed.
  - d. Permission may be granted subject to such conditions as the court considers necessary to protect recordings of confidential or legally privileged conversations between parties and their counsel.
9. This Practice Direction will take effect from the 1<sup>st</sup> September 2015



J TORODE  
Her Majesty's Greffier