



European Network of Councils
for the Judiciary (ENCJ)

Reseau européen des Conseils
de la Justice (RECJ)

Report of the ENCJ Thematic Dialogue Group on Judiciary and Media

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1. Purpose and Context¹

Throughout the years, the ENCJ has carried out a number of activities on the topic of the Judiciary and the Media in the broad sense, and communication of the judiciary to achieve diverse goals in a more narrow sense. The first report on this topic was presented in 2005-2006², while the first set of recommendations followed in 2011-2012³. This work continued with a two-year project on the Image of Justice, which ran from 2017 to 2019⁴ and touched upon the topic of the judiciary and the media as well.

The results of the Survey on the independence of judges (2022)⁵ showed that one of the stress points for judges when adjudicating cases was pressure from the media and social media. An outcome confirmed by the Survey on the independence of judges 2025⁶. Even more, in 2024, the Annual Conference of the European Forum of Legal Professions⁷ was held on a similar topic and in preparation for the ENCJ intervention, information was received from the ENCJ Members and Observers regarding the different challenges they encounter in the field. The ENCJ Members agreed to continue the work in the area to reflect the new practices and challenges that the ENCJ community encounters, to share best practices in the sphere, take stock of the current challenges and look for possible solutions through exchanges of best practises. For these purposes, the ENCJ Members found a thematic dialogue group Judiciary and Media.

To gain a clearer understanding of the current landscape, an inventory questionnaire was developed and circulated among the ENCJ Members and Observers in September 2024.

After the analysis of the responses, the members of the project group agreed to focus on the following topics:

- definitions (media, journalists);
- (social) media personal attacks on judges-where do we draw the line;
- misreporting (manipulation of information, disinformation and undermining of the credibility of institutions by the media);
- press strategy/guidelines;
- AI in communication.

¹ This report was composed, with the input of the project team, by Mrs Gabriele Juodkaite-Granskiene (TT Lithuania) and Mrs Maria Gkana (SJC AJ Greece).

² [ENCJ Report Judiciary and the Media, 2005-2006](#)

³ [ENCJ Report Justice, Society and the Media, 2011-2012](#)

⁴ [ENCJ Report on Public Confidence and the Image of Justice: Report 2017-2018 on Communication by and from the Judiciary](#)

⁵ [ENCJ Report Survey among judges about their independence 2022](#)

⁶ [ENCJ Report Survey among judges about their independence 2025](#)

⁷ [Annual Conference of the European Forum of the Legal Professions - ERA - Academy of European Law](#)

Its overall purpose was to identify current practices, exchange good examples, and develop recommendations that can be applied across judiciaries while respecting national differences.

Expected results were indicated as follows:

- Identify the current communication strategies employed by Judiciaries and Councils for the Judiciary among ENCJ Member and Observer Councils/alternative governing bodies (2024/2025);
- Share best practises employed to maintain optimal relations with the media (2025);
- Map out any actions or measures implemented to minimize/prevent potential media influence for the independence of judges (judiciary) (2025/2026);
- Build a communication strategy for the Judicial Councils and courts (2025/2026)
- Identify possibilities of utilisation AI in the communication of the judiciary (2025/2026);
- Organize hands-on exchange of practises for training the communication officers/press judges of the Judicial Councils and courts (2025/2026);
- Develop recommendations and best practices for communication that can be applied across all judiciaries or as best practises used in some of the judiciaries (2026).

2. Key Findings

2.1 Definitions: Media and Journalists

The group concluded that the media landscape can no longer be understood only through traditional press categories.

Traditional or legacy media refers to structured media organisations with editorial oversight, professional journalists, ethical standards, fact-checking procedures and institutional accountability.

Social or digital media includes platforms such as YouTube, podcasts, blogs, Facebook, LinkedIn and similar channels where individuals can create and distribute content with limited or no editorial control.

The group found broad agreement that a **journalist** should be defined primarily by function, not only by formal credentials. A journalist is a person who regularly gathers, verifies and disseminates information or opinions on matters of public interest, acts with accuracy and fairness, and follows professional standards.

Furthermore, the group recommended a **differentiated access model**:

- broader access for educational, promotional and general justice-system information;
- stricter access rules for sensitive case-related information, possibly requiring accreditation, proof of journalistic activity or compliance with professional standards.

For example, but not limited to:

Promotional/Educational Content (Broader Access)	Case-Related Information (Restricted Access):
Traditional journalists Independent media creators Educational content developers Documentary filmmakers Public interest bloggers	Accreditation required Proof of journalist status Higher sensitivity threshold Enhanced verification Conditional access based on credentials

This distinction protects both the public's right to information and the integrity of judicial proceedings. *Note:* In the UK, there is no differentiated access; rather, the general public has traditionally, as a rule, access also to the case files/details of cases.

3. Current Communication Strategies Among ENCJ Members and Observers

The comparative mapping shows that most ENCJ Members and Observers still rely on a **website-first communication model**. Official websites, press pages, meeting materials, annual reports, decisions, statistics and service information remain the primary channels.

Social media is used unevenly. It is more developed in court administrations and ministries than in classical Judicial Councils. Standout examples include Lithuania, the Netherlands, Portugal, Sweden, Finland, Italy, Austria and Ukraine.

The strongest visible communication models share four features:

1. a named communication owner or press office;
2. a clear press/public protocol;
3. a searchable website and publication architecture;
4. some form of feedback or evaluation mechanism.

Only a minority of bodies publicly publish a standalone communication strategy or equivalent guideline. Examples include Lithuania's courts' communication strategy, Italy CSM's institutional communication guidelines, the Netherlands' revised press guideline, Finland's social media rules, Austria's media-office framework, and Romania's transparency/accessibility/legal education project.

4. Best Practices for Relations with the Media

The group identified the following best practices:

- Maintain a **single official media contact point**.
- Use the official website as the **authoritative source of truth**.
- Publish press releases, decisions, summaries, annual reports and statistics regularly.
- Provide **plain-language explanations** of complex judicial issues.
- Develop press guidelines that clarify:
 - o who may speak;
 - o what may be disclosed;
 - o how pending cases are handled;
 - o how errors are corrected;
 - o how crisis situations are escalated.
- Provide background briefings and training where appropriate.
- Use newsletters, RSS feeds and professional platforms such as LinkedIn to maintain regular contact.
- Avoid reactive, personality-based communication by individual judges.

The most transferable examples are:

- Lithuania: strategic communication structure and Judicial Council communication committee;
- Netherlands: revised press guideline and newsletter/open-data ecosystem;
- Portugal: communication office and broad communication section;
- Greece: Briefing notes to accredited journalists for upcoming hearings and Q and A documents for important cases;
- Sweden: press service and journalist-facing structure;
- Finland: clear social media boundaries;
- Austria: structured media-office model;
- Ukraine: regular communication-related metrics
- Spain: network of communication officers of courts.

5. Personal Attacks on Judges and Media Pressure

The group distinguished between legitimate criticism and unacceptable pressure.

Legitimate criticism includes criticism of judgments, reasoning, court administration and institutional performance.

Unacceptable conduct includes threats, harassment, intimidation, insults, personal targeting, doxxing, coordinated campaigns and attacks intended to pressure judges or weaken public confidence in the judiciary.

The group agreed that judges must accept legitimate criticism, but hostile campaigns, especially when amplified by political actors or media actors, can threaten judicial independence, separation of powers and the rule of law. Therefore, it was agreed to prepare an official statement which should include:

- Referring to the ENCJ Riga Declaration 2025, once more reaffirm shared commitment to safeguarding judicial independence and the Rule of Law. These principles are fundamental to a democratic society and require constant attention.
- Referring to the ENCJ 2025 Survey results emphasises big concerns with regard to limited respect for judicial independence by government and parliament, such as pressure on judges and even intimidation, observed in some countries, including hostile media campaigns. Such campaigns have negative effects on the image of the judiciary and affect the trust of society. Also, the use of such campaigns by politicians undermines the principle of the separation of powers.
- To indicate a clear call of ENCJ for all public actors to refrain from undue attacks on the judiciary and to refrain from encroaching upon the judiciary so as to fully uphold the principle of separation of powers.

The official statement of the ENCJ Executive Board was published on 17 December 2025⁸.

The group also indicated recommended measures to fight with such situations:

- create a protocol for identifying and escalating attacks;
- avoid individual judicial responses;
- use institutional communication where attacks affect independence or trust;
- provide legal, psychological and security support to judges where necessary;
- monitor hostile media narratives and coordinated online attacks;
- issue institutional statements when attacks cross the line from criticism to intimidation.

⁸ Statement by the Executive Board of the ENCJ On Pressure and Intimidation of Judges through Media, 17 December 2025

6. Misreporting, Disinformation and Trial by Media

The group found that misinformation is less threatening where judiciaries have improved communication strategies, but **trial by media** remains a significant challenge.

Two forms were identified:

1. **Parallel trial by media.** Media commentary competes with ongoing judicial proceedings and may influence witnesses, parties or public expectations. This potentially deprives the defendants of their right to a fair trial and the presumption of innocence but also jeopardizes the independence of the judiciary.
2. **Trial by media as a broader phenomenon.** Public opinion seeks to deliver a verdict even where no court case exists or where proceedings have ended. Unlike parallel media trial shadowing a court trial, an independent trial by media seeks a verdict from public opinion in a disparate range of issues which may not even involve a justiciable wrong (e.g. “cancel culture”).

The group emphasized that the media may expose failures and serve public accountability, but it must not substitute judicial process.

Recommended measures:

- publish timely and accurate information;
- correct serious inaccuracies quickly;
- prepare case-neutral explanatory materials;
- explain judicial procedures and limits;
- develop rapid response mechanisms;
- train spokespersons and press judges;
- build relationships with responsible journalists before crises occur.

7. Measures to Minimize Media Influence on Judicial Independence

The group identified the following protective measures:

- formal press guidelines;
- clear rules on access to case information;
- accreditation or verification for sensitive information;
- communication protocols for high-profile cases;
- institutional rather than personal responses;
- media monitoring and risk assessment;

- judicial independence statements where necessary;
- training for judges on media exposure;
- training for communication officers on crisis response;
- public education on the judicial role;
- transparent publication of decisions and court information.

A central conclusion was that independence is protected not by silence alone, but by **accurate, timely, lawful and principled communication**.

8. Best practices and safeguards against harmful media influence

The most transferable best practices are **institutional design practices**, not publicity campaigns. Judiciaries that manage media relations best do not simply “communicate more.” They communicate through defined structures, repeatable rules, and predictable publication routines. The best current examples point to seven practices that should be treated as core good practice across the ENCJ network.

Best practice	Why it matters	Representative examples
A single public media entry point	Reduces confusion, shortens response times, and prevents contradictory institutional voices.	Portugal’s communications office; Sweden’s press service; Spain’s communication office; Austria’s media-office network.
Website-first publication	Makes the institution the primary source, reducing dependence on third-party framing and helping correct errors with primary materials.	Netherlands open data and weekly newsletter; Lithuania’s integrated courts platform; Sweden’s shared judiciary site; Spain’s press room and open publications, Greece’s Q and A documents for important cases.
Formal rules for journalists and courtroom reporting	Preserves openness while protecting privacy, safety, procedural fairness, and dignity of proceedings.	Netherlands Press Guideline 2025; Austria’s Medienerlass ; Portugal’s 2025 good-practice guide.
Clear non-comment rules on merits of individual cases	Protects impartiality and keeps institutions from becoming partisan participants in pending disputes.	Finland’s public social-media rules; Dutch case-by-case judicial control of restrictions; Austria’s legal-constraint model.
Accessibility and inclusion measures	Reduces the democratic gap that often fuels distrust and misreporting.	Spain’s accessibility suite; Sweden’s accessible public platform; open publications through CGPJ/CENDOJ.]
Regular digests, newsletters, or summary formats	Creates predictable, low-friction visibility and reduces the need for purely reactive communication.	Netherlands newsletter and RSS; Sweden press/newsletter subscriptions; Ukraine’s event digests.
Metrics and after-action learning	Let’s institutions measure whether communication is timely, accurate, accessible, and trusted.	Ukraine’s quarterly and monthly activity figures.

9. Press Strategy and Guidelines

The most defensible communication strategy for councils and courts should be treated as a **governance instrument**, not as a branding document. A communication strategy for Judicial Councils and courts should contain the following core elements:

1. **Mission**

Communication should support legitimacy, transparency, independence, public understanding and trust.

2. **Governance**

There should be a named owner: communication office, press officer, spokesperson or communication division.

3. **Audiences**

Audiences should include:

- o public and court users;
- o journalists;
- o judges and court staff;
- o legal professionals;
- o public institutions;
- o civil society;
- o academia.

4. **Channels**

The official website should be the main channel. Social media should amplify, not replace, official publications.

5. **Editorial Rules**

Content should be accurate, neutral, timely, accessible and legally compliant.

6. **Crisis Protocol**

The strategy should include escalation triggers, holding statements, approval procedures and post-crisis review.

7. **Accessibility**

Communication should include plain language, accessible documents, multilingual information where appropriate, and inclusive formats.

8. **Evaluation**

Communication performance should be measured through KPIs.

Or we can use such table: The strategy should include the following minimum elements.

Component	Recommended rule	Why this is the right minimum standard
Mission	State that the judiciary communicates to protect legitimacy and independence, explain its constitutional role, improve public understanding, and provide accessible service information.	This matches the current ENCJ rule-of-law framing and the public rationales used by Lithuania, Italy, Austria, Portugal, and Sweden.
Ownership	Name a central communication owner, backed by leadership and legal review, with a press-judge or local court contact network where necessary.	The most coherent systems visibly name a communications office, press service, or media office.
Channels	Treat the website as the authoritative source; use newsletters, RSS, and social channels as secondary distribution mechanisms that point back to primary materials.	This is the strongest repeating pattern across the Netherlands, Sweden, Lithuania, and Spain.
Routine publication	Publish decisions, meeting materials, annual reports, statistics, FAQs, service guides, and plain-language summaries through a predictable calendar.	Predictability is more trust-building than reactive press bursts and reduces the risk of narrative vacuum.
Sensitive-case protocol	Provide process information, access rules, hearing logistics, and post-decision explanation of publicly releasable material; do not comment on the merits of pending cases.	This is consistent with Finland's public rules, Dutch courtroom guidance, and Austria's legally structured media-office model.
Misreporting and intimidation protocol	Establish an escalation cell for factual corrections, severe reputational attacks on institutions, attacks on judges' safety or dignity, or disinformation affecting pending matters.	ENCJ and UN materials show that silence is not always neutral where intimidation or institutional delegitimation is occurring.
Accessibility and inclusion	Build WCAG-compliant pages, add multilingual or easy-read core content where possible, caption audiovisual materials, and keep an accessibility feedback route.	Spain and Sweden show that inclusion is a communication strategy, not only a technical compliance obligation.
AI governance	Adopt an allowed/controlled/prohibited matrix; require approved tools, confidentiality controls, logging, and AI literacy training.	This is now required or strongly supported by the AI Act, the UK judiciary, Australia, and Council of Europe guidance.
Evaluation	Review publication timeliness, media response time, correction time, accessibility requests, newsletter uptake, public comprehension, and training completion at least quarterly.	Ukraine shows the value of public metrics; other systems show the channels that are most easily measurable.

10. AI in Judicial Communication

The shared European and comparative lesson is clear: **AI-assisted communication may be useful; autonomous or opaque AI in adjudication is not.** The EU AI Act expressly classifies AI systems used by judicial authorities to assist in researching and interpreting facts and law and in applying law to facts as **high-risk** systems under Annex III. That alone means judicial bodies should build their AI communication policies with caution, documentation, and governance from the outset.

At the same time, the AI Act does not prohibit all AI use. It requires a governance architecture. Article 4 requires providers and deployers to ensure a sufficient level of **AI literacy** among staff and others operating AI on their behalf. Article 14 requires **human oversight**, including the ability to understand limitations, monitor outputs, avoid over-reliance, and override or stop the system. Article 12 requires **automatic logging** for high-risk systems to support traceability and monitoring. Article 27 requires public bodies and certain other deployers of high-risk systems to conduct a **fundamental-rights impact assessment** before first use, and Article 86 grants affected persons a right to a **clear and meaningful explanation** of the role of certain high-risk AI systems in decisions that significantly affect them.

For judicial communication teams, the safest usable principle is this: AI is most appropriate where the task is **reversible, non-authoritative, and based on already public material**. That means AI can be useful for speech-to-text transcription of public content, translation of public-facing texts, draft FAQs, media-monitoring summaries, newsletter formatting, accessibility outputs such as captions or alt-text, and first-pass summarization of already published reports or judgments. Those are support functions. They do not replace judicial reasoning, and they remain subject to human verification. This approach is consistent with the Council of Europe's CEPEJ AI Charter, the Council of Europe AI Framework Convention's emphasis on rights-compatible oversight and safeguards, the UK judiciary's 2025 guidance, and comparative judicial guidance that rejects delegation of decision-making to AI.

By contrast, several uses should be treated as **prohibited** for courts and councils: using AI to draft reasons for judgment; weigh evidence; assess credibility; recommend outcomes, sentence, or liability; or upload confidential case material into public AI systems. The UK judiciary's 2025 guidance emphasizes that any use of AI must protect the integrity of the administration of justice and warns against using non-public information in public tools. The Federal Court of Australia's 2026 Practice Note goes further by requiring disclosure where AI is used to summarize or analyze information relied on by a witness, or to create AI-generated multimedia presented to the court, and by warning against entering confidential, suppressed, privileged, or private information into generally accessible generative-AI tools.

- For communication functions specifically, a three-part policy is the most defensible:

AI category	Practical examples	Governance rule
Allowed in approved environments	Translation of public pages, captioning, transcription of public speeches, summarization of already published annual reports or judgments, media monitoring, FAQ drafting, formatting press summaries.	Human verification remains mandatory; outputs must be non-authoritative; public versions should link back to the primary source.
Allowed only with heightened controls	Internal briefing notes, multilingual simplification of published judgments, accessibility conversions, analytics, or sentiment monitoring based on lawful and proportionate data.	Use only approved tools; keep logs; conduct privacy/security review; if the tool is high-risk or rights-affecting, apply AI Act oversight, traceability and impact-assessment requirements.
Prohibited	Drafting judges' reasons, weighing evidence, credibility analysis, outcome recommendations, or entering sealed/non-public case information into public AI tools.	No delegation of judging; no confidential data in public systems; disclosure is required where AI materially affects evidence or court-facing materials.

The practical implication for 2025/2026 is that **AI in judicial communication should be framed as a support tool under strict governance**, not as an innovation narrative by itself. For communication units, the most valuable AI agenda is likely to be **AI literacy, accessibility, multilingual publication, secure workflow design, and auditability**, rather than experimentation with public-facing generative systems on live case content.

The group identified significant potential for AI, but only under strict safeguards.

Possible uses:

- summarising public materials;
- drafting non-sensitive administrative texts;
- translating public information;
- improving accessibility;
- monitoring media narratives;
- detecting misinformation trends;
- supporting communication analytics;
- preparing first drafts of FAQs or educational material.

Prohibited or high-risk uses:

- autonomous decision-making;
- drafting judicial reasoning without human control;
- assessing evidence or credibility;
- producing official statements without verification;
- using confidential case data in public AI tools.

Principles for AI use:

- human oversight is mandatory;
- judges and courts remain fully responsible;
- outputs must be verified;
- confidential data must not be entered into public AI tools;
- AI use should be logged where relevant;
- staff must receive AI literacy training;
- AI should support, not replace, judicial communication.

11. Training and Hands-On Exchange of Practices,

The group experienced and therefore recommends organising practical exchanges for communication officers, press judges and court spokespersons.

Training should cover:

- media relations;
- crisis communication;
- handling hostile interviews;
- social media monitoring;
- plain-language writing;
- high-profile case communication;
- responding to disinformation;
- AI literacy and AI-assisted communication;
- ethical and legal boundaries;
- protection of judicial independence.

Recommended formats:

- workshops;
- simulations;
- peer review of press releases;
- crisis-response exercises;
- exchanges between councils with mature communication systems and those developing new frameworks;
- shared templates and checklists.

12. Final Conclusion

The dialogue group concluded that communication is now a core function of modern judicial governance. It protects judicial independence, strengthens transparency, supports public understanding, and helps prevent misinformation from undermining trust. The central normative recommendation is equally clear: the judiciary should communicate **more institutionally, more accessibly, and more predictably**, but **not more politically**. The goal is not reputational management in the commercial sense. It is the protection of independence, explanation of judicial function, lawful transparency, correction of serious falsehoods, and the maintenance of public confidence through understandable and verifiable information.

The judiciary should not seek to compete with the media, nor should it respond to every criticism. It should avoid entering into a media fight at all costs. However, it must be capable of acting as a clear, credible, and timely institutional voice when judicial independence, fair trial guarantees, or public confidence are at risk.

The recommended model is therefore: **transparent, website-first, professionally governed, accessible, measurable, crisis-ready and ethically controlled communication, supported by careful use of AI and continuous exchange of best practices.**

This concludes the work of the group and the coordinators wish to extend their gratitude to all the members for their commitment, generosity of spirit, intellectual openness and sustained contribution throughout this two-year thematic dialogue. The exchanges were consistently thoughtful, collegial and enriching, and they created a valuable space for mutual learning, comparative reflection and the development of shared understanding across different judicial traditions and experiences. The coordinators also wish to express their sincere appreciation to the Office for its continuous support, professionalism and assistance throughout the work of the group.

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