

How Media / Movies Influence People's Perspectives Towards The Justice System

Media Vs. Our Justice System

- The media acts as a surrogate of the masses to witness, collect and collate information in order that information may be presented to the people
- The right to inform however, does not include the right to misinform
- Our Justice System ironically, is "Open" yet "Opaque"

Different Concept Of Justice

- Media's own understanding of the Justice System is often rudimentary, sometimes immature
- There is a long distance between the “layman concept of justice” and the “systemic concept of justice”

'Daily Mirror' To The Law Lords





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Jayalalithaa, Salman cases brought bad name to judiciary: former SC Judge Hegde

By PTI | Published: 13th June 2016 05:31 PM |

Last Updated: 13th June 2016 05:37 PM | A+ A A- | 



HYDERABAD: Former Supreme Court Judge N Santosh Hegde has said instances involving Tamil Nadu Chief Minister J Jayalalithaa and Bollywood superstar Salman Khan where the courts granted them bail and heard their cases "out of turn" have brought a "bad name" to the judiciary.

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- Former Supreme Court Judge N Santosh Hegde has said instances involving Tamil Nadu Chief Minister J Jayalalithaa and Bollywood superstar Salman Khan where the courts granted them bail and heard their cases "out of turn" have brought a "bad name" to the judiciary.
- The former Kanataka Lokayukta said he fully agreed with public perception that rich and powerful escape the clutches of law.
- "Similarly is the case of Salman Khan who also got conviction after 14 years in the first Court and High Court granted bail within one hour. Okay. Nothing wrong in granting bail and (the judge) heard cases in two months. Both (in Jayalalithaa's and Salman Khan's cases) are retiring judges", he said.
- "But where is the urgency (in Jayalalithaa's and Salman Khan cases)...merely because the rich and powerful, they get the bail and they want their matter to be heard out of turn. I totally oppose this and condemn the two instances", he said.



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Should There Be Two Penal Codes, One for the Rich and One for the Rest?

By TSR Subramanian | Published: 26th December 2015 10:00 PM |

Last Updated: 02nd January 2016 10:26 PM | A+ A A- | 



Recently, Salman Khan was found 'not guilty' by the high court, overturning the sessions court conviction for imprisonment on a hit-and-run case. Whether he was surprised or anticipated it, the actor 'accepted' the verdict with 'humility'—much like a batsman who has snicked the ball to the

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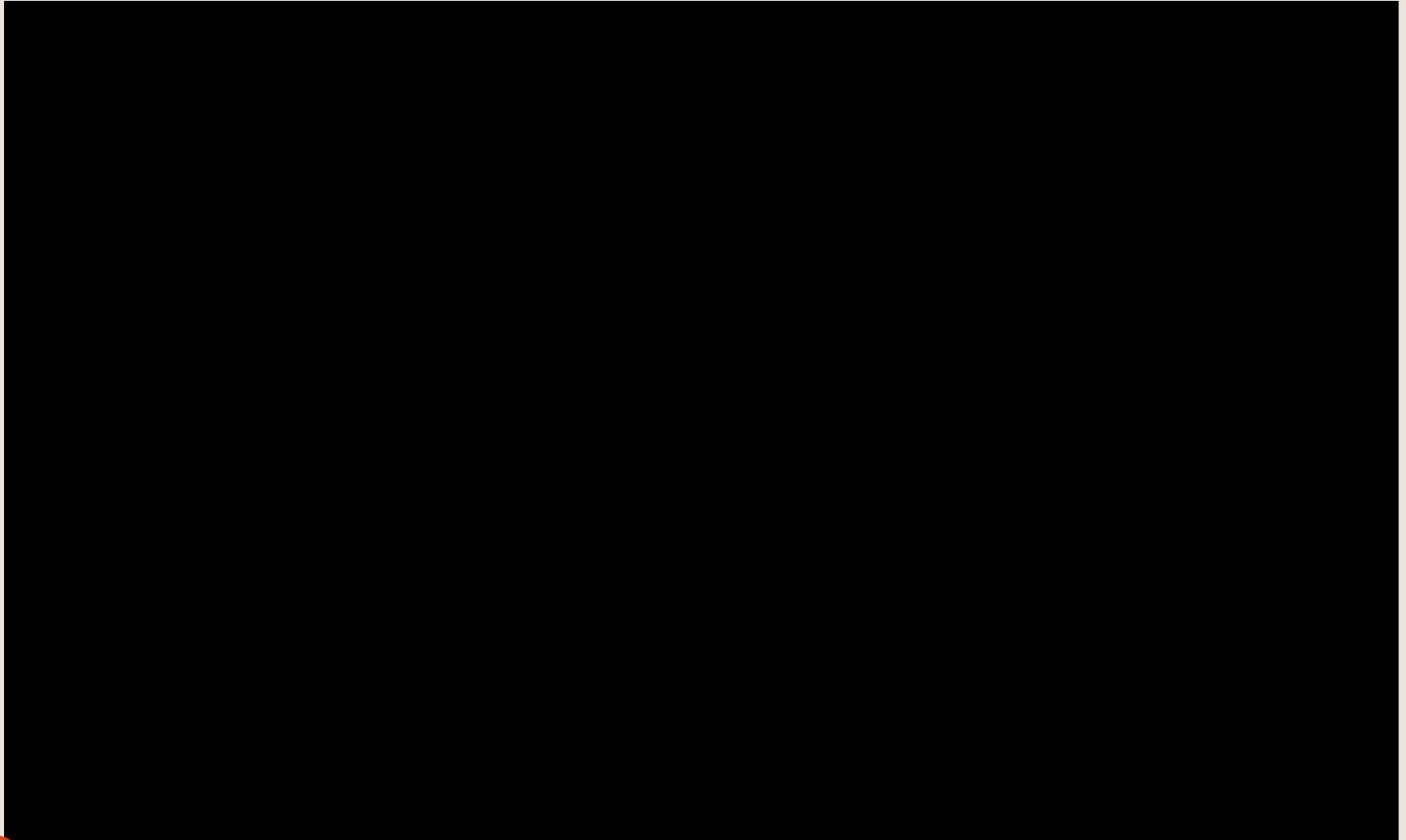
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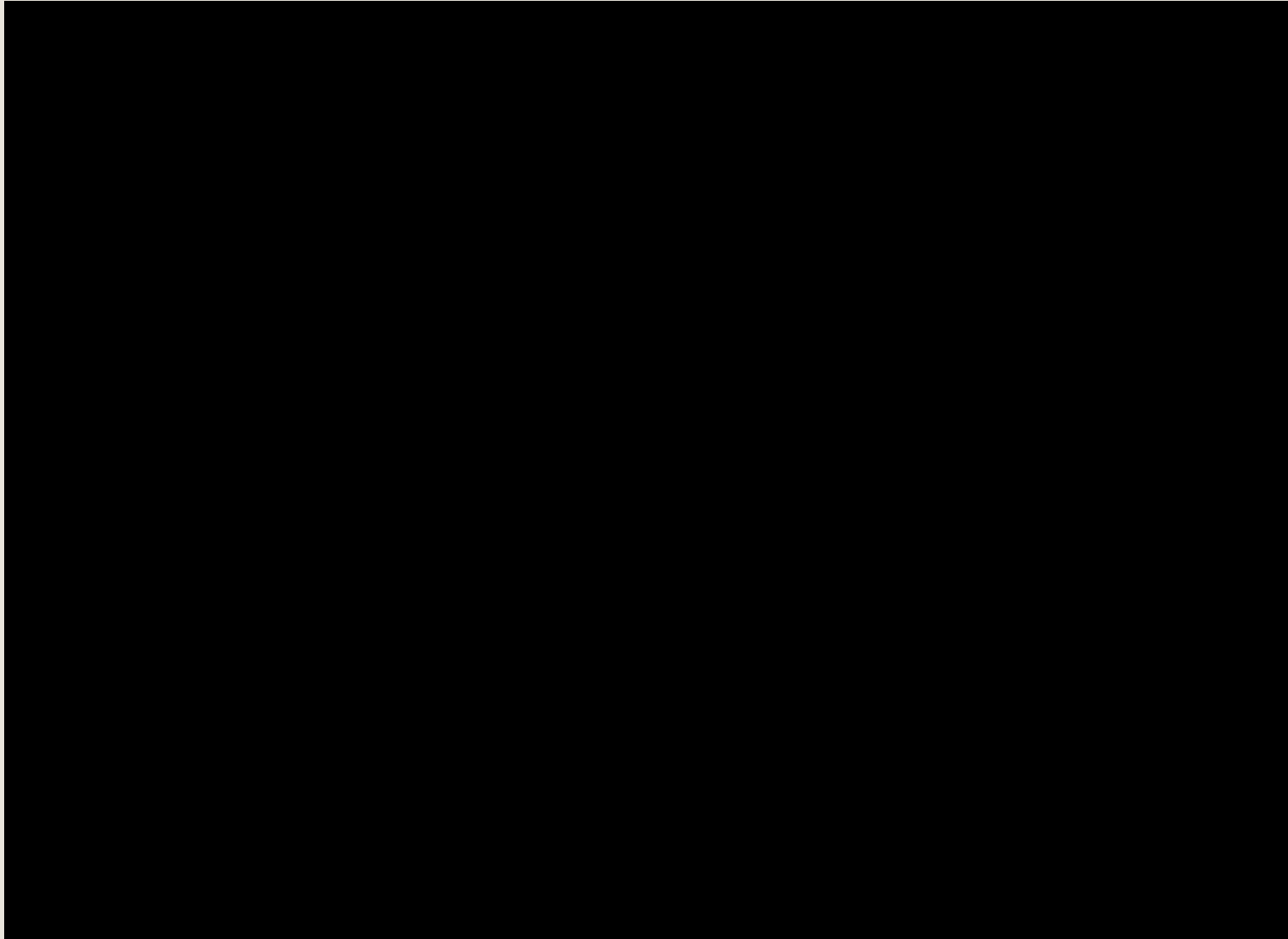
- Among the large number of curious circumstances surrounding the case, it may be mentioned that the actor was able to get bail, after office hours in May this year, without spending a moment in custody—high-quality lawyers ensured this privilege; contrast this with millions who languish in jail even without a trial, and when convicted, wait for years in queue for getting their appeals heard. There are surely advantages in being rich and famous in India!
- The flow of events in criminal cases relating to the cream of society is now fairly well-scripted, and can be anticipated in most cases.
- The type of investigation one desires can be ‘purchased’—there will not be too many in India to question this—even in the most fool-proof case, it is possible to ‘arrange’ that critical steps are left out, or laboratory tests fudged, or ensure a couple of basic ‘mistakes’ that can be subsequently exploited in court.

- Recall that in the Sanjeev Nanda BMW case, the defence lawyer was filmed trying to bribe a key witness in collusion with the prosecutor—astonishingly, the lawyer got away nearly scot-free; in almost any other country where there is ‘rule of law’, the lawyer’s licence to practice would have been permanently revoked and he would have been severely penalised.
- In 2014, after the Nirbhaya rape case, and following the Justice Verma Committee recommendations, 75,000 molestation cases were reported, 35,000 charge-sheets filed, and despite orders for day-to-day hearing just nine, yes only nine, resulted in conviction.
- Is there the phenomenon in the psyche of a trial or appellate judge, so conscious of the weight of ‘public opinion’, that he bends over backwards to ensure the rich and famous receive extra consideration? Is there enough analysis of how trials proceed in India to draw systemic lessons—is this not an important academic field and who will do this? If Rajat Gupta were to be tried in India on the same facts on which he was convicted in the US, is it not likely that his chances of conviction are miniscule? Surely everything is not right in the state of Denmark.

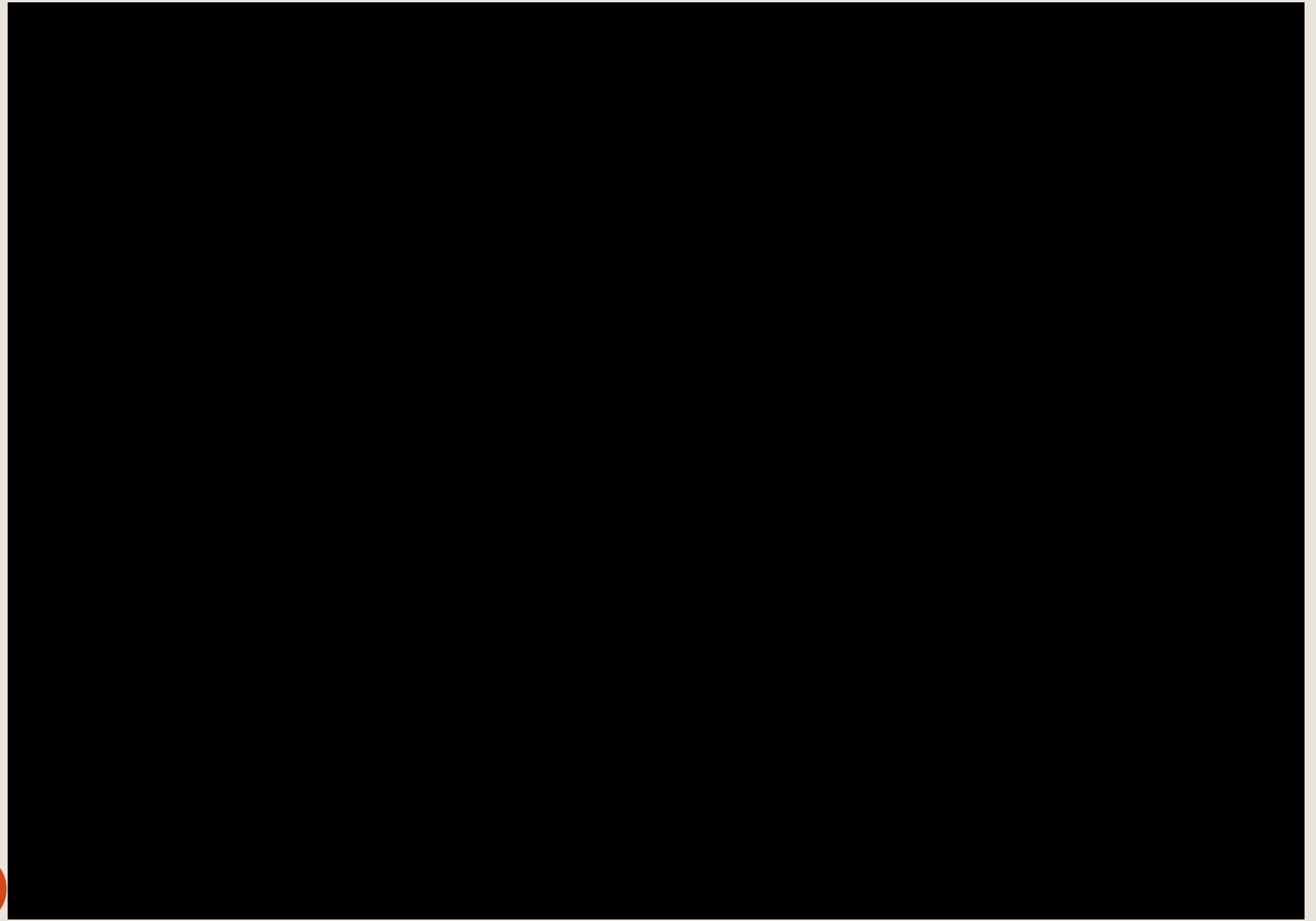
No Top Lawyer, No Justice



Will Others Get The Same Treatment?



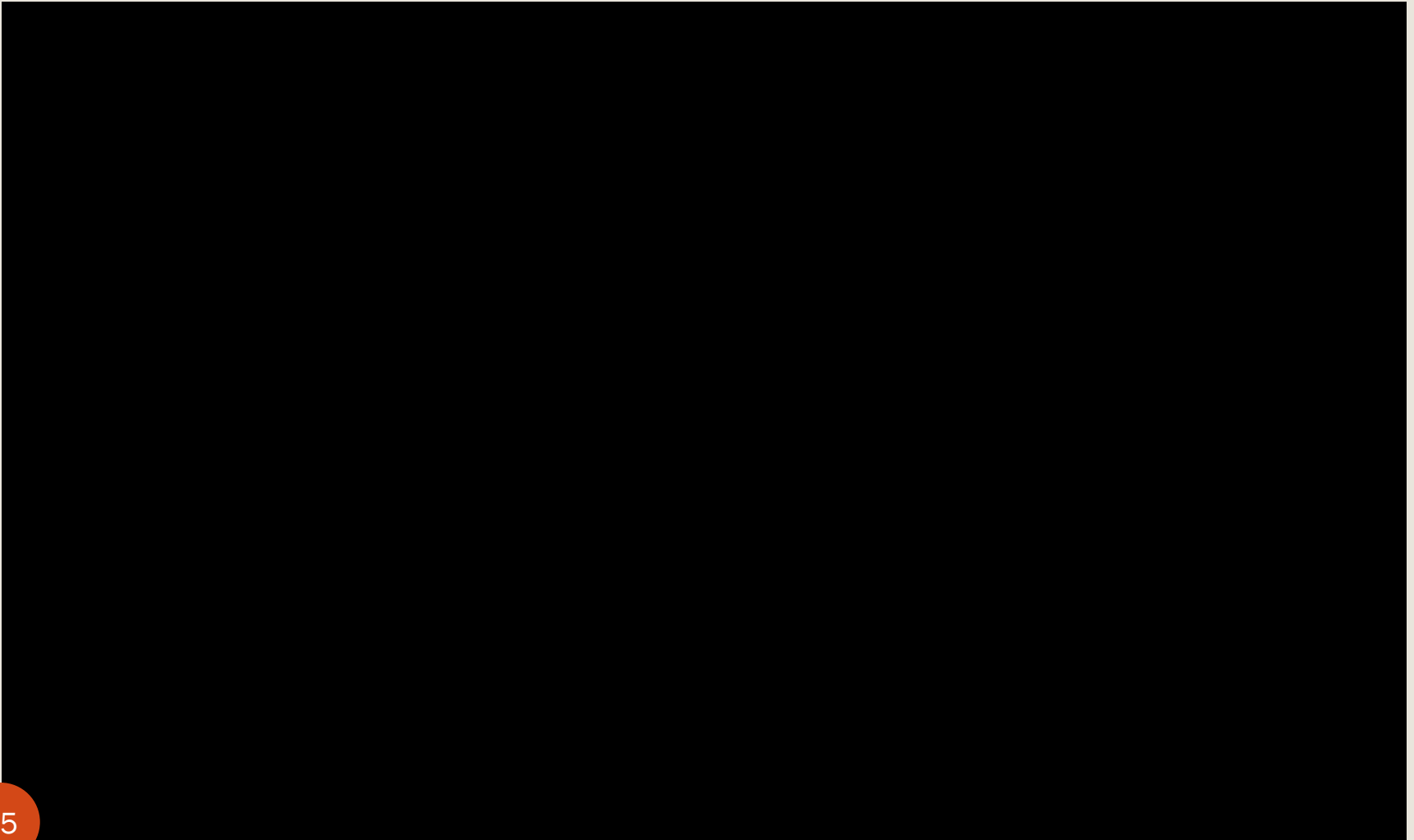
2.5 Lakh Inmates Wait On



Who Will Judge The Judges?

Isn't Judicial Corruption A Fact?

Police's Hands Tied?



Nirbhaya Rapist To Be Free

Freedom of Media vis-à-vis Independence of Judiciary

by Justice Shiva Kirti Singh

- The freedom of media in the matters of reporting of court proceedings serves useful purposes. The general public in a democratic set up like ours has constitutional and legal right of information in respect to all matters of public importance. The working of the legislature, the executive and the judiciary must be visible to the public at large and it is for this purpose that the courts are required in ordinary circumstances to always function in open where public has access.
- Fair reporting of court proceedings by media and writings touching the merits of judicial pronouncements invariably add to the prestige and dignity of the courts because openness dispels misgivings and doubts. Secondly, constructive and intellectual writings in respect of court proceedings are also helpful to the judicial system which gets insight into the feelings of its citizens and an opportunity of self-correction. Building an informed and educated public opinion is the duty and responsibility of the media and for that purpose it must have the requisite freedom of fair reporting of court proceedings.

- Sometimes the lack of specialised knowledge of law may also lead to wide publication of a particular view in a sub-judice matter which may create wrong expectations in the mind of the general public regarding the outcome of a judicial proceeding. This may lead to two unwanted situations: (i) judicial proceeding itself getting influenced by public opinion and expectations, or (ii) a fair decision may appear unreasonable to the people at large because of wrong views disseminated by the media. Such a result in either case, will harm the judiciary and in the process, the people too.
- Hence, in reporting court proceedings as well as police investigation, prevention of abuse requires three precautions—(1) reporting must be based on correct facts, verified and verifiable; (2) the views must be just, fair and reasonable. To ensure this, the author or writer should have specialised knowledge of the branch of law concerned; and (3) the timing of publication of views on sub-judice matters must be chosen carefully so as not to be inappropriate.

A Defenceless Court ?

- There is no such thing as 'balanced reportage'. Media is entitled to report its own point of view and analysis PROVIDED they have reported the 'facts' first.

The Court has two options :

- First, to completely ignore what the media reports, keeping in mind however that in such case public perception will be based only on media reports, which may be right or wrong ;
- Second, to have a system of the Registrar releasing official versions of proceedings (not explanations) in cases where Court considers it advisable, containing brief reasoning and gist of Order as approved by Court.

People's Right To Know

All State power if held in trust for the People