
STATUTORY INSTRUMENTS

2022 No. 705

**The Remote Observation and Recording
(Courts and Tribunals) Regulations 2022**

Matters that the court must take into account

4. Before deciding whether, and on what terms, to make a direction under section 85A(2), the court must take into account—

- (a) the need for the administration of justice to be, as far as possible, open and transparent;
- (b) the timing of any request or application to the court or tribunal to make a direction, and its impact on the business of the court or tribunal;
- (c) the extent to which the technical, human and other resources necessary to facilitate effective remote observation are or can be made available;
- (d) any limitation imposed by or under any enactment on the persons who are entitled to be present at the proceedings;
- (e) any issues which might arise if persons who are outside the United Kingdom are among those watching or listening to the transmission;
- (f) any impact which the making or withholding of such a direction, or the terms of the direction, might have upon—
 - (i) the content or quality of the evidence to be put before the court or tribunal;
 - (ii) public understanding of the law and the administration of justice;
 - (iii) the ability of the public, including the media, to observe and scrutinise the proceedings;
 - (iv) the safety and right to privacy of any person involved with the proceedings.