

As the judiciary is proactively adopting technology, it must expand the right of access to justice by live-streaming proceedings. Elaborate (200 words)

As the lockdown began, the court had to quickly find the technology and create protocols for virtual courts and e-hearings. This has triggered a rethink on the nature of judicial processes.

EXPAND → RIGHT OF ACCESS TO JUSTICE :-

Though, technology increases, still maintainance of court proceeding lagging.

↳ 1. Supreme Court (SC) → No public record of its own proceedings in the past.

1.1 Nor its proceedings broadcast live for public viewing. Even citizen life change cases.

↳ 2. For security concerns only limited pass.

2.1 Due to ~~low~~ space constraints, law

students were not permitted on court heard fresh matters days.

CASES THAT LED TO LIVE BROADCAST OF THE PROCEEDINGS :-

1. In 2018 Swapnil Tripathi vs SC of India judgement, the court recommended that proceedings be broadcast live.

1.2. SC held that live streaming proceedings is a part of the right to access justice (Article 21).

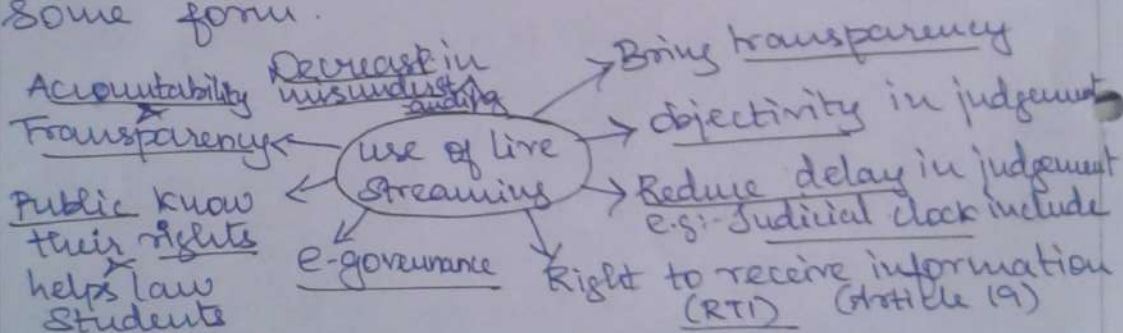
2. Justice DY Chandrachud → open courts help foster public confidence in judiciary.

3. Further publishing court proceedings is an aspect of Article 129, → in which SC is a Court of record.

4. Our Attorney General says → Except matrimonial cases and those involve national security could be excluded from live streaming.

A.1 Guidelines proposed live-streaming cases of constitutional and national importance as a pilot pilot project including constitution bench cases.

• Technology is available, but India stands alone among leading democracies in not maintaining audio or video recordings or even a transcript of court proceedings. For ex: Brazil, Australia, Canada, England etc records & maintains its judgement in some form.



Way forward:-

During the lockdown, journalist have been permitted to view virtual court proceedings. If the technology is available, it must expand to public to view court proceedings like parliament (Rajyasabha TV). It is the need of the hour to Indian courts will have to adopt a combination of virtual and in-person hearing. Openness & transparency reinforce public faith in Judicial System.