

COMMUNICATION OF HIGH-PROFILE CASES

Ladies and Gentlemen!

I have been honored to present to you today how we communicate in high-profile court cases in the city of sunshine, Szeged. I leave it to Your judgement how much our communication serves to build trust in the courts.

I would like to touch in my presentation

- the communication of court cases related to the mass migration from 2015
- and 2 important criminal cases: the so-called Ahmed H. case and the Death Truck case

Our hustle and bustle university town, Szeged, is only a few kilometers from the southern border of Hungary with Serbia.

The border area alongside us is the external border of the Schengen area, so a large number of migrants arriving on the Balkan route from autumn 2015 wanted to enter the Schengen area on this section.

From the second half of 2015, their number increased dramatically.

In this period the criminal judges dealt with cases of illegal immigrant smuggling, while administrative judges reviewed decisions on asylum claims.

Simultaneously, Hungarian laws have been amended to address mass immigration.

In the autumn of 2015, the Hungarian Government reinforced the border barrier by criminal means, after several people destroyed it, thus illegally entering Hungary by damaging the fence on the southern border of the country.

In addition, a large number of persons applying for entry at the border have claimed for asylum upon entering Hungary.

The new rules placed a significant caseload on the Szeged Regional Court and the Szeged Administration and Labor Court.

The review of the asylum procedures were carried out by the 3 administrative judges of Szeged.

Crimes related to mass immigration (illegal immigrant smuggling, destroying of barrier ...) were judged by 19 first instance judges.

Statistics:

From September 2015 to December 2016:

-2969 criminal cases were received and processed at the Szeged First Instance Court.

It became clear to us that thousands of cases were expected to flood, so we had to take steps to provide the necessary personal and technical facilities.

Planning and executing all of these was also a huge task, which we successfully completed thanks to the strong and agile President of the Regional Court, Miss Babett Tárkány-Szűcs who is present with us today.

In addition, we have never met such media interest before.

The migration-related communication was the biggest ever task of the press unit of the Szeged Regional Court. Our press unit was based on two judges who continued their courtroom activity in the same time. Three future judges (court secretaries), helped their work.

The situation was politically sensitive as you all know.

As a matter of fact, that not only the legislation but also the judicial process was criticized. The question of migration deeply divided the public opinion.

So, we had to be very alert in order to keep the readers' confidence in the courts despite the negative criticism.

This was the task of the President of the Szeged Regional Court and her press team.

Concerning the communication, internal and external communication plans have been drawn up to deal with the situation.

We knew that while every problem, every crisis, needed a different kind of solution, they had something in common: the necessity of communication.

In order to keep control in our hands, we had to keep in mind the following principles:

Always consider the worst possible scenario!

Have a crisis plan!

Don't waste time!

The President of the Regional Court set up an Emergency unit. It was a small, agile, well-prepared team that always was available.

Who were the members?

- the President of the Regional Court,
 - professional leader of criminal and administrative cases,
- President of the Court of First Instance

- press spokespersons
- Head of the Economic Office,
- Head of IT Department.

Internal communication:

Following the publication of the proposed law, the bill, it was extremely important to inform our employees.

We had to share as much information as possible, since we needed cooperation for the common, increased workload.

However, it also played a major role in the resolution of panic.

What have we done and communicated to our employees?

1. We had to confess that we are in crisis. That's what worries us. The National Office for the Judiciary and the leadership of the Regional Court will do their best to resolve this.
2. Help is on the way! Judges from other Regional Courts are also assigned to manage the increased workload. We took control of the situation.
3. We took all possible steps to reassure our employees.
4. We had a judicial and a professional meeting about our new tasks

The President of the Regional Court kept in mind the trinity of communication:

- attention
- compensation
- reassurance

External communication

Concerning the external communication, the President of the Regional Court, the Press Spokeswoman and the officers of the Press Unit carried out the related tasks in close cooperation with the press department of the National Office for the Judiciary.

The particular gravity of the situation required the first information to be given to the media by the President of the Regional Court.

The President continued to give numerous interviews personally.

In the criminal cases, further inquiries were answered by the spokeswoman who is a criminal judge.

Our Press Unit

- has a good relationship with the media,
- has a transparent and complete, updated list of press,
- is able to translate documents
- is able to react quickly.

We set up internal communication rules and determined how the team shall communicate with each other.

The size of our court did not allow us to employ a communication specialist, so our team consisted mainly of judges, but during this period we could forward our questions to a communications specialist of the National Office for the Judiciary.

Our first announcements and timing thereof were discussed with the Press Department of the National Office for the Judiciary.

Making a Proactive Communication Plan:

As we familiarized with the text of the bill, it was to be expected that it would provoke opposition from international organizations and human rights bodies.

It was also to be expected that due to the large number of criminal proceedings and prosecutions, the law applying court would be also criticized by the media. That's why we prepared for the bad news affecting the court, because bad news is the best way to raise awareness.

Therefore, the Regional Court prepared a proactive communication plan.

Why?

In order to,

- communicate relevant messages,
- in the right time,
- for the right people.

We developed guidelines to:

- what we want to communicate,
- to whom we want to tell,
- who should be told,

- when should be told.

A proactive communication plan was created to protect the reputation of the court organization by helping to send the right messages to the right people.

If we do not keep the control, we can easily create an information space that the media and colleagues will be happy to fill, often at the expense of the court.

The next step was to draft messages for the media.

We did not expect journalists to ask the questions themselves. We had to work out the messages we wanted to transfer.

It is important that the message shall be credible, convincing the journalist, be clear and simple.

When, how quickly should we react?

The court avoided too early and late speeches as well.

- We have prepared handouts in Hungarian and English about the changes in law regarding border fence related crimes,

- We also presented the administrative measurements that have been introduced to deal with the large number of cases.

- In addition, we have drafted a media registration notice in Hungarian and in English. It has been published on the website of the Szeged Regional Court. Our goal was to be able to assess in advance which press agencies, how many and by what technical means are coming to the negotiations.

On the day the law came into force, September 15, 2015, we held an international press conference.

The following question was arisen before the international press conference:

- Who should hold it?

- What should be the message?

- What issues do we have to expect?

Who? The President of the Regional Court. On the day before the law came into force, she presented at an international press conference:

- the main points of the legislative changes regarding the migration crisis,
- the resulting judicial responsibilities and
- the measurements introduced to deal therewith.

In order to maintain confidence in the judicial organization, she explained:

- what is the task, in what form and in how much time
- the necessary personal and material conditions have been provided,
- there is no delay in dealing with other cases.

The style of speech was important to the President of the Regional Court. She tried to speak in short, simple sentences, without emotions, using as few technical terms as possible, to answer questions honestly, accurately, and numerically.

We also prepared adequate answers to embarrassing questions regarding:

- translation of judgments,
- Separation of families during the proceedings; and
- the provision of the necessary number of interpreters.

Presence of the media at the courtroom:

We also had to prepare the judges for the presence of the media, who were not use to such intense media interest.

We have organized the press registration process.

In order to ensure proper coordination, we have arranged a waiting room for media representatives in one of the courtrooms, which had been temporarily converted.

Information sheets were placed in the waiting area about:

- taking pictures and making videos
- the rules for participation at the trial

As we experienced, the press materials placed in the press room were used by the media representants.

As expected, as of September 15, 2015, there was extraordinary media interest regarding the trials.

Representatives of the Hungarian media announced their intention to participate by sending email to the press unit.

Most of the representatives of the foreign media arrived without announcement, however there were also cases in which they announced their intention to attend.

Registered and spontaneously arriving television companies and journalists were coordinated in the light of the foreign language knowledge of the judges and the capacity of courtrooms on the given day.

During the first few weeks, the Press Unit received a mass of press request with the most diverse issues related to the migration situation, the need for radio and television interviews.

The President of the Regional Court and a press spokeswoman have been participated on several television programs and were interviewed by the international press on how to deal with the migration crisis.

During the interviews, the President and the press spokeswoman sought to:

- stay calm
- provide relevant background information, so the journalist / reporter was able to get to know the case before the interview
- be honest: if they didn't know something they confessed, but they promised to look after

The subject-matter of the requests were:

- constantly updated statistics (number of defendants, nature of decisions, juvenile, nationality, number of appeals, translation)
- further fate of expelled migrants
- Expansion of the court rooms of the Szeged District Court
- issues affecting the human rights dimension

Some Banner headlines:

Migration - Judges are not closed on Sundays

“Handcuffs, water, crying: the judgment factory rustles in Szeged

Szeged Regional Court successfully completed its extra tasks related to immigration

Giga-chaos in the Szeged court, the judges are packaging

The refugees displaced the judges of Szeged

The Bad News:

In the vast majority of cases, the media representatives provided credible information from the Press Department, in one case we asked for a response to an article in a local newspaper.

In fact, an article was published in the October 9, 2015 issue of that newspaper, entitled '**Syrian little girl in court**'. The article, in a sensational way, with some ambiguous wording and pictorial material, made it appear as if the court were to determine the criminal liability of children. The Press Department reacted promptly to the article, and the newspaper published a press release, referring to their own misleading wording.

No action has been taken against the two-years-old child, unlike his mother, who has committed a crime under the provisions of the applicable Criminal Code.

The mother arrived at the trial with her two-years-old child, and the judge decided that the child could stay with her during the trial. There is no doubt, a child under the age of 14 could not have been in the courtroom, but the judge was humane, empathetic and allowed the child to stay with her mother.

In the press release we rejected the term "judgment factory", which was used several times in the article and seemed to qualify the work of the court. The large number of proceedings and the short deadlines required that the court change its work schedule and finish proceedings quickly. However, these provisions did not result in violation of rights of the persons subject to the proceedings, and the judges did their work of a high standard.

From the impeachments that have been made in connection with migration, two outstanding cases need to be mentioned.

The case Ahmed H.

About the facts:

On 16 September 2015 between 13.40 pm and 17.31 pm, defendant A. H. as the member of the mass of several hundreds gathered together at the Hungarian border crossing point Röszke II., in order to achieve free entrance to the territory of Hungary, spoke into a microphone and continuously demanded the opening of the border from the policemen whose task was to defend the closed border.

Meanwhile, the police constantly informed the mass via a public address system that after registration it is possible to enter Hungary legally through a transit point not far from the border fence.

In case of the defendant, this process was even not obligatory as he had a valid Cyprian passport with which he could have legally entered Hungary, and this way the European Union as well.

The defendant and his accomplices, who remained unknown, wanted to give emphasize to their demands, therefore they touselled the cordon, and threw stones, broken bottles and other objects towards the policemen with the aim of compelling them to open the border. As a consequence of their violent behavior, some policemen suffered injuries healing within 8 days. With his conduct, in order to force a state organ to action, the defendant committed crimes against the physical integrity of the policemen, as official entities.

After the damaging of the cordon insuring the defense of the border, the mass broke through, and the defendant entered Hungary illegally as the member of the mob riot. Finally, the police managed to push back the mass to the territory of Serbia and to close the gate of the border crossing point.

This case and the photos of the conflict were shared worldwide in the media.

Due to the large media interest, press registration became necessary. We were only able to accommodate those in the court room who had pre-registered to attend.

We continuously informed the media and citizens of what was happening at the trial via press releases published on the website.

Furthermore, we issued an announcement on the verdict and the spokeswoman, who is a criminal judge gave interviews.

The media attacked

- the classification of the act as an act of terrorism
- on the other hand, the court proceeding concerning the assignment of the case.

The lines were burning.

Like in any other case of public interest, the Press Unit:

- provided information on coercive measures in the investigation phase of the case,
- communicated the days of trial in HUN and in EN as well with a short summary of the indictment
- prepared a summary of each trial and sent it to the permanent partner media representants,
- published on the website a resumé of the announced judgment

We had some difficulty regarding the attendance of human rights organizations at the trials, as the activities of the Press unit are limited to the media representatives.

The groups of 10 to 15 of the human rights organization intended to participate at the trials were difficult to handle.

The court members, the parties, the representants of the media and the activists created such a large crowd, that the activists were not all able to enter the trial and they expressed their indignation.

Our spokeswoman was present at the courtroom to be able to prepare the written court communication as fast as possible, but the online media was faster as always. From the courtroom, during the trial they sent their reports to the editorial room. The essential of the judgement appeared in the Hungarian online media minutes after the announcement.

Just a few words about the Hungarian law:

Under the Hungarian law not even the spokesperson has the right to know what the decision of the court will be before the announcement of the judgement. That's why it is hard to be faster than the media representants.

Luckily the main facts were well written, so we did not have to ask for correction.

We promptly responded to all questions except for those which criticized the Hungarian criminal law in force.

The second instance court in this case was the Szeged Court of Appeal.

As a part of its commitment to making courts accessible to the public, the appeal court allowed to broadcast the oral hearing live on the internet and on the radio. After this very interesting solution the media asked the first instance courts to allow the same broadcast, but their request was obviously refused as it could have risked the success of the evidence proceeding.

The Appeal Court of Szeged

The Szeged Court of Appeal, which usually proceeds in "high profile cases", is active in communication, as does the Szeged Regional Court.

They are in the very fortunate position that their media secretary is a lawyer-journalist with extensive experience, who has been a court reporter for years. This has several benefits:

- the media secretary is present at the trials, the journalists know and welcome him as a colleague
- as a professional associate, they can directly come upon to him, with confidence, if they do not understand something exactly
- He easily makes understandable media announcements.

On the other hand, a spokesperson who is judge can hardly slip out of his own skin. There are certainly exceptions, but a judge is more adherent to professionally accurate, detailed but difficult wording. However, the National Office for the Judiciary established the Network of spokespersons and press secretaries assisting the judiciary in its uniform communication. The Network regularly holds very valuable, meaningful training sessions for media spokespersons to develop these skills. They pay special attention on plain language. Our opinion is that the judge spokespersons are developing these skills and they are getting better and better each year.

Returning to trust building:

In the opinion of the Court of Appeal, the most important thing in building trust in the work of the court is that:

- send the news to as many media as possible
- inform the public quickly and genuinely about the work of the Court of Appeal.

The Court of Appeal considers it very useful to include press materials on their own website as well as on the Central Courts website, which serves wide-reaching information and trust building.

Cases are monitored and communicated in the same way as by the Court of Appeal. Due to the peculiarities of the second instance proceedings, they already have a great deal of information prior to the arrival of the case due to the cooperation of the press units and the monitoring of the press.

The "Death Truck" case

In 2018 a very serious drama happened on the Hungarian roads.

According to the final judgement all of the 14 defendants had been committing continuous man-smuggling in criminal organization from June to August in 2015.

The organization had the aim to earn millions of euros with the transport as many illegal cross-borders as possible from Serbia to Germany in short period of time.

In order to accomplish this aim the leaders of the organization (1st, 2nd 12th defendants) had bought several trucks.

The victims had been transported with these vehicles in cruel and inhuman circumstances from Hungary to Germany.

One of the transports (so-called "Transport of Parndorf") had caused the death of 71 victims.

According to the final judgement, four defendants, the truck drivers committed homicide and were punished to real life imprisonment.

In this case the Court of Appeal was more active in communication. They provided detailed information of each hearing (it took 5 days).

In addition, a new service appeared in their press activity. They issued the announcement in English about the case to the media.

The English communication has been successful, and its exact text has been copied and published worldwide, from China to Thailand. In no case did they have to ask for a press correction.

Summary