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Criticism deserved

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N.S. courts seek to improve media relations to boost access to justice

Tuesday, November 28, 2017 @ 1:35 PM | By Terry Davidson

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A better relationship with the media is key to building bridges between Nova Scotia's courts and a public tending to be wary and untrusting of the justice system, says one judicial staffer.

In what has been an ongoing effort to forge a better working relationship with newspaper reporters, news broadcasters and other members of the media, the courts of Nova Scotia will be taking another step in this endeavour by hosting [Media and the Law Working Together to Improve Access and Public Trust](#) in May 2018.



Jennifer Stairs, Nova Scotia Judiciary

The conference will have members of the judiciary and other court officials meet with members of the media for an "open and frank discussion between these two professions in hopes we can make that relationship work on a day-to-day basis," says Jennifer Stairs, communications director for the Executive Office of the Nova Scotia Judiciary.

"I think it's been shown that public trust and public confidence in the courts and the justice system increases or decreases based on what they are seeing and learning through the media," said Stairs, the event's organizer. "Certainly, we have the open courts concept, and anyone is welcome to come and sit in on a court matter, but it's more likely people are actually learning what they know about the justice system through TV, movies and news coverage. So we want to make sure what is being put out to the public is as accurate as possible and as fair and complete as possible. That requires judges and others working in the justice system to work directly with the media."

There is a need to reach out to a general public that, in many cases, continues to view the justice system as an intimidating and untrustworthy monolith that is out of the reach of both average folk and society's marginalized. Arming the media with additional knowledge when it comes to the ins and outs of the law and the legal process is a big part in addressing this, said Stairs.

"Certainly there is some skepticism in terms of whether the courts [are accessible to everyday people]. We have a project here called Talk Justice that has allowed us to collect stories from members of the public, as well as people working in the justice system ... and I would suggest that what we're hearing through some of those stories is that the trust isn't necessarily there. That's not the case in every instance, but certainly there are areas where we can improve. Having the media on board and accurately reporting on the news of the courts and actual legal proceedings will go a long way in helping us get where we need to be."

Stairs was asked about the #MeToo movement and the recent wave of historical sex assault and sexual harassment allegations coming out of the U.S. She acknowledged there remains lingering stigma and fear, making many victims reluctant to come forward.

"We've seen here in Nova Scotia that people can be discouraged from coming forward if they see a [news] story that has been sensationalized or reported incorrectly or not completely," she said. "That can certainly have an effect on how they decide to proceed if it is their own matter or [the matter of] a friend or a loved one. ... It is important for reporters to realize — just as much as those working in the [justice] system — that we are dealing with real people here. What they write and ... show on television and in the news can have an impact on what people do. So we want to make sure they are taking every opportunity to report as completely as possible — to help explain what the actual law may be; to help the public understand the restrictions judges and lawyers ... are working under."

Another driver of the upcoming panel discussion was the success of a similar event in 2008.

"We just thought it was time to have another event to discuss some of these issues to see how far we've come on some things, how far we haven't on others, what is new and emerging that needs to be on our radar," said Stairs. "We've also modernized our media guidelines recently ... so this is another opportunity for us to communicate those and help educate journalists on what their rights are, and [to let] court staff know that [journalists] are entitled to this access."



Trevor Farrow, Osgoode Hall Law School

Trevor Farrow, a professor with Toronto's Osgoode Hall Law School, called the media a crucial player in addressing an access to justice problem existing not only in Nova Scotia, but across Canada.

"I think the media has a significant role to play in the access to justice conversation," said Farrow. "On one level, the public is generally uninformed and not engaged with issues of justice until those issues affect them ... [and] society doesn't fully support the system of justice in place."

Farrow compared it to people's acquisition of knowledge when it comes to their health.

"Over the last 10 to 20 years, people have become more informed when it comes to health, be it diabetes or cancer," said Farrow, explaining that, as a result, the public has increasingly thrown more and more support behind health and well-being. "I don't think the public understands how they are impacted by [the justice system]."

A public better informed on the justice system, he said, would also mean informed voters who would ask pertinent questions of candidates come election time. Nova Scotia's media event runs from May 11-12 in Halifax.

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