

## Cases Supported During Project Period

### Reporting Guidelines

#### 1. Purpose:

The 'Cases supported report form' is used by Media Defence Centres to record information on the cases defended by in-house or contracted lawyers, and to report to MLDI on the developments and outcomes of these cases. It assists MLDI with the measurement of results achieved and the impact of lawsuits on the prosecuted journalists/media outlets/bloggers. The form should be filled in by the lawyers working directly on the cases to ensure systematic and accurate reporting on all cases supported over the full period of the grant/project. When submitting the report on cases supported as part of the Final Report for a Media Defence Centre, please make sure to include all of the cases supported since the start date of the grant – You should therefore include cases reported on within the Interim Report and update their status in the Final Report, in addition to including the list of cases handled over the second reporting period and their status.

#### 2. Sections of the report and guidelines:

##### Case Type:

Choose from one of the following options:

- Criminal Defamation/Libel
- Civil Defamation/Libel
- Sedition
- Insult (Government or Official)
- Endangering National Security
- Harassment or Bodily Harm by Security Agents
- Access to Information
- Protection of Sources
- Administrative Measures
- Closure of Media Outlet
- Contempt of Court
- Other

##### Short Description:

- (1) Brief description of the case: parties involved, charges, possible sentence (damages claimed, possible jail term, etc.), for what reason the charges were brought against the journalist/media outlet/blogger, start of the litigation, etc.
- (2) Includes a description of the activities led by the lawyers for each cases (e.g. attended hearings, negotiations, submissions to the court, etc.) – Please include the dates for each activity to give us a better idea of the timeline in the case.
- (3) A line on the legal strategy undertaken in the cases; and
- (4) Future development expected (in a sentence) for pending and ongoing cases or outline the judgment, final sentence when a case is concluded, and judgment date for cases that are now closed.

##### Public Interest Topic:

This column concerns the type of story covered for which the journalist/media outlet/blogger is resultantly being prosecuted.

- Crime/Justice
- Political Corruption
- Health/Welfare
- National Security
- Environment/Energy
- Other Human Rights
- Other

**Court:**

Concerns the court at which the case is being judged at the time of reporting.

- Pre-Trial
- Court of First Instance
- Appellate Court
- Supreme Court
- Court of Cassation
- Regional Court
- International Human Rights Mechanisms
- Other

**Type of support:**

Outlines the type of support provided by the lawyer to the journalist/media outlet/blogger. For instance: legal advice, indirect legal representation, advocacy, etc.

**Case outcomes:**

- **Successful outcome:** when the case outcome is considered to be in favour of the media outlet, journalist or blogger or when the case outcome was considered satisfactory by the media outlet, journalist or blogger involved in the case. Trial outcomes categorised under this case outcome include: charges dropped, peaceful settlement, instances when a sentence was substantially reduced<sup>1</sup>, suspended sentence<sup>2</sup>, and case dismissed or discontinued<sup>3</sup>.
- **Won – being appealed:** When a court handed down a judgment in favour of the media outlet, journalist or blogger, but the opposing party appealed the court's decision and the case is therefore moving to a higher court.
- **Lost-being appealed:** When a case outcome was in favour of the party against the media outlet, journalist or blogger but for which the latter has filed an appeal to the decision.
- **Unsuccessful outcome:** When a case outcome was in favour of the party against the media outlet, journalist or blogger and no appeal to the decision is made or possible.
- **Ongoing:** when proceedings have already started and are ongoing.
- **Pending:** Case pending a decision or pending trial.

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<sup>1</sup> And the media outlet, journalist or blogger is satisfied with this outcome.

<sup>2</sup> If considered as the best possible outcome.

<sup>3</sup> When in favour of the media outlet, journalist or blogger.

**Notes on outcome:**

In one sentence describe the outcome recorded including the final judgment (e.g. reduced sentence, settlement, charges dropped, suspended jail term and months, etc.).

**Client continues to publish in the public interest:**

Yes/No so that we understand what impact the litigation has on the ability of the journalist/media outlet/blogger defended to continue to publish in the public interest.

