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**THIRD CONFERENCE
OF SECRETARIES GENERAL
OF CONSTITUTIONAL COURTS
AND EQUIVALENT BODIES**

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REPORT

PUBLIC RELATIONS

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1. Introduction

The Austrian Constitutional Court aims at informing the public on its work and its functioning, its proceedings and its judgements as well as on the reasons that have led to these judgements. Such knowledge is the basic requirement for the acceptance of the judgements in public. The acceptance of the judgements of a Constitutional Court is, no doubt, essential for the functioning of a democratic state.

In this context the media perform a significant role: They enlarge public knowledge about constitutional review by reporting on the Constitutional Court and its judgements. It is therefore extremely important that they themselves have a broad and well-founded knowledge of all matters concerning the Court. Journalists are no experts for constitutional law and constitutional questions. It is evident that they need a lot of information for reporting on - mostly complicated and complex - Constitutional Court matters. The more information they get, the better their coverage of all these issues will be.

Some of you will remember my report at the 2nd Conference of Secretaries General in Madrid in November 2002 which - for good reasons - was meant to be a fervent appeal for a professional and efficient public relations work carried out by the Constitutional Courts.

In July 2003 the Austrian Constitutional Court was - in terms of budget and plan of established posts - finally in a position to employ an experienced, skilful and dynamic young journalist and appointed him **press and public relations officer of the Court**. Since then he carries out his duties under the direction of the President, completely satisfying his expectations.

Moreover, the Court has relaunched its internet presence by designing a **new website** in 2005 which contains much more current and other information than the former website dating back to 1998.

The media are admittedly the most important, but not the only target group of public relation work. Also lawyers (jurists) as well as people without a journalistic or a juridical background will get any information possible when they address themselves to the Court: The **Documentation Department** and the **Service Department** are glad to be helpful in answering questions regarding the jurisprudence of the Court and general issues related with the Court

2. Press and Public Relations Officer

Generally, the press and public relation officer is responsible for informing the media on all Constitutional Court issues that the Court wishes to make public. He is the first contact person for journalists and has to maintain formal and informal relations with them.

He thus represents the Court - beside the President and the Vice President - in public acting as the official spokesman. He gives interviews or statements in case neither the President nor the Vice President wishes to address the media or the public personally or if it is not appropriate for either of them to do so.

His work schedule is adapted to journalistic requirements. It is essential for his work to be familiar with the journalists' environment, e.g. to know the press deadlines of the different media, the date of their editorial meetings, etc.).

- Information of the Media on Judgements

It is his prior task to inform the media on the judgements of the Court by releasing oral or written statements. Prior to the delivery of the judgements he has to consider various important aspects, for instance: Are any (positive or negative) public reactions to a judgement foreseeable? Which questions are likely to be posed in connection with a particular judgement?

As regards the time and the form of informing the media, he has to choose the appropriate date and the way in which the judgement shall be made public after its delivery on the parties of the proceedings.

On the rare occasions where the Court pronounces a judgement orally, he regularly organizes a press conference in the course of which the President is prepared to answer the journalist's questions.

If an important decision is delivered to the parties by mail he has to decide whether a press statement shall be released, whether it is sufficient to just refer to the judgement on the Court's website or whether nothing at all shall be done. In case of only regional interest specific information is given to local journalists only.

- Information of the Media on Pending Proceedings

It is furthermore among his duties is to inform the media on pending proceedings, especially of those which can be expected to be of great public interest. Thereby he has, of course, to mind the duty of professional discretion (obligation of secrecy) which may well be a tightrope walk.

- Press Conferences

If the President decides to hold a press conference, which happens frequently shortly before the four annual Court Sessions start, he is responsible for its preparation with regard to content and organization as well as its accomplishment.

- Organization of Media Appearances

In the same way he is responsible for organizing all media appearances of the President and the Vice President (sometimes also of other Judges).

- Background Information Talks

Several times per year the President invites selected journalists to "background information talks". They allow a good possibility for a flow of information away from headline events. These talks take place in the President's office or at a "Heurigen"-place (Viennese wine place) and give journalists the possibility to ask questions irrespective of newsworthy events. These talks are also a good chance to explain to them the work of the Court in general as well as the decision-making process.

- Press Review

The press and public relations officer moreover observes the print and other media on a daily basis and selects relevant contributions for the press review of the Court which is being distributed to all judges and is made accessible to the staff in the intranet of the Court.

3. New Website (<http://www.vfgh.gv.at>)

In 2004 it became evident that the existing website of the Court did no longer meet the requirements of the intensified public relations work. After several deliberations a working group appointed by the President finalized the texts and decided on the design. In June 2005 the new website went on-line.

The rapidly changing parts (current news, selected decisions, etc.) are looked after by the press and information officer.

Judgements can be ordered on-line

4. Documentation Department

The Documentation Department of the Court (*Evidenzbüro*) documents all judgements of the Court. Immediately after delivery on the parties of the proceedings all judgements are furnished with keywords, norms and a head note pointing out the most important contents. Then they are submitted to the Legal Information Center of the Republic of Austria (*Rechtsinformationssystem des Bundes - RIS*; <http://www.ris.bka.gv.at>) which is updated on a weekly basis. Everybody has access to these judgements free of charge by entering search keys (e.g. terms, norms, etc., also in combination with other criteria) and has the choice between a short version and the full text of the decision.

The Documentation Department will answer any questions regarding judgements and is giving support to investigators in their research work and strategy. Accordingly, the typical "clientele" in these cases are lawyers, students as well as judges and law clerks of the Court.

5. Service Department

The Service Department forms part of the Protocol and International Relations Department. Its manifold tasks include lectures with subsequent discussion on the activities of the Constitutional Court given to visitor groups (students, civil servants, officials, school classes, etc.) from Austria or from abroad. Visits of student groups regularly take place in connection with their university courses.

Many people address questions to the Constitutional Court or its President, many people seek advice in legal matters concerning themselves. In most cases their queries have nothing to do with the jurisdiction of the Constitutional Court. Nevertheless, the Service Department responds to almost all of these letters and e-mails.

It frequently occurs that people wish to file complaints with the Constitutional Court and do not know how to do it. In view of every complainant's obligation to be represented before the Court by an attorney the Service Department does not offer comprehensive legal advice in these cases but restricts itself to communicating the formal requirements of a complaint.