

### Title: Live Media Coverage in the Maguindanao Massacre Trial (A.M. No. 10-11-7-SC)

### Facts:

On November 23, 2009, the Maguindanao Massacre resulted in the death of 57 people, including 32 journalists. This tragic event led to the filing of 57 counts of murder and an additional charge of rebellion against 197 accused, making it the most brutal election-related violence in the Philippines. The cases were assigned to Branch 221 of the Regional Trial Court (RTC) in Quezon City, presided by Judge Jocelyn Solis-Reyes, and held at Camp Bagong Diwa, Taguig City.

Subsequently, varied groups including the National Union of Journalists of the Philippines (NUJP), major broadcasting networks, relatives of the victims, individual journalists, members of the academia, and governmental entities petitioned the Supreme Court seeking live television and radio coverage of the trial, among other requests. These petitions were docketed as A.M. No. 10-11-5-SC and A.M. No. 10-11-7-SC, consolidating them due to their similarity.

Former President Benigno S. Aquino III also expressed support for the media coverage of the trials, aiming for a transparent and fair juridical process. The principle accused, Andal Ampatuan, Jr., filed a consolidated comment opposing the petitions.

The Supreme Court, addressing the petitions about the media coverage, revisited prior restrictions on live broadcasts from courtrooms and deliberated on balancing the right to public trial and freedom of the press with the right to a fair trial.

### Issues:

1. Should the Supreme Court allow live television and radio coverage of the Maguindanao Massacre trial?
2. How to balance the constitutional rights to freedom of the press and public information with the accused's right to a fair trial?

### Court's Decision:

The Supreme Court partially granted, *pro hac vice*, the request for live broadcast by television and radio of the Maguindanao Massacre cases, subject to strict guidelines designed to ensure the dignity and solemnity of the proceedings and the accused's right to a fair trial. The Court set forth comprehensive guidelines, including the technical setup for

broadcasting, continuous and entirety coverage of proceedings, and restrictions on commentary and re-airing of content. The decision aimed to provide a solution that respected both press freedom and the proper administration of justice.

### ### Doctrine:

The Supreme Court established the doctrine that live media coverage of trial court proceedings could be allowed, provided it is subject to strict guidelines that safeguard the right to a fair trial, maintain the dignity and solemnity of court proceedings, and promote transparency and the public's right to information.

### ### Class Notes:

- **Public Trial vs. Publicized Trial**: Public trial ensures fairness and doesn't mean limitless public exposure. The Supreme Court distinguishes between a trial being open to the public versus being broadcasted live on media.
- **Right to a Fair Trial**: Any media coverage must not compromise the accused's right to an impartial and fair proceeding.
- **Balance of Rights**: The Court demonstrates balancing freedom of the press and the public's right to information with the accused's right to a fair trial.
- **Pro Hac Vice**: The Court's decision is made for this specific case only, indicating that such permissions for live coverage are exceptional and will be evaluated on a case-by-case basis.
- **Guidelines for Media Coverage**: The Supreme Court outlines specific technical and procedural guidelines for live media coverage, emphasizing non-intrusiveness, continuity of coverage, and adherence to courtroom decorum.

### ### Historical Background:

The Maguindanao Massacre trial underscored the Philippine judiciary's challenge in accommodating immense public interest and media coverage within the framework of ensuring fair trial rights. This case prompted the Supreme Court to revisit its stance on media coverage of court proceedings, balancing transparency and accountability with safeguarding the integrity of the judicial process. The decision reflects an adjustment to the interplay between technology, media, and the law, addressing concerns unexplored in

previous rulings.