

3.3.1. Recordings and Use of Documents

62. In most cases the videoconference proceedings do not require any recording other than those that would normally take place for such proceedings.

In cases in which the application to use videoconferencing also seeks to have the videoconference proceedings recorded, the requesting authority is obliged to arrange for recording equipment to be provided to the requested authority where necessary so that the evidence can be recorded by the requested authority in the correct format.

Video recording of proceedings may be subject to restrictions depending on the Member States involved.

63. It is expected that parties will have anticipated what documents will be required in the course of the proceedings and that they will have made copies available to those participating in advance.

The parties should endeavour to agree on this. It will usually be most convenient for a bundle of the copy documents to be prepared in advance, which the requesting authority should then send to the requested authority.

If technically possible, the documents could be presented by using a separate document camera as a part of the videoconferencing equipment.

64. In certain situations, a document camera is not a sufficient mean for exchanging papers. Using a camera is for example not directly possible for the client and the lawyer to discuss presented documents in private. Thus, a faxed copy of the document may be more easily available.

65. For the exchange of documents, videoconferencing could be supplemented with shared document repositories or document servers.

These capabilities are increasingly being used for sharing of information but within the justice context extra care needs to be taken to ensure that any such repository is secure, readily available to the parties and only accessible by the authorised parties connected to the case. Such repositories could be available via computers at both the sites of the requesting authority and the requested authority.

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