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## **The impact of public relations on judicial institutions' performance**

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**Abstract:** This study tackles the problem of whether or not public relations practice within different judicial institutions follows a refined style by discussing the concept of public relations and its importance in the development of the judicial system. Besides that, the study identifies procedures for compliance with the rules and standards of this relationship upon considering lawsuits by the judge and dealing with the accused. The study also examines whether or not the procedures of notification and response from all parties of the lawsuit follows a refined style to maintain the performance of the judicial institution in its work to the fullest, and in exchange, preserve the dignity of the accused. The evidence from this study suggests that an internal communication system in the litigation scope should be applied for all litigation proceedings from beginning to end. These procedures must be regulated legislatively in a manner consistent with the general rules and principles governing litigation while taking into consideration the special nature of the judicial system.

**Keywords:** accused; court; judge; judicial institutions; public relations.

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## **1 Introduction**

Considering the critical role of the judiciary in restoring rights to their owners, most State legislatures have an interest in developing the judicial system such that it achieves its desired purpose, particularly in matters of procedures followed when considering lawsuits from the beginning up to the final decision. In order to avoid any defects or mistakes in the different types of courts of justice, it is necessary to have a stable legal system that shows how the judge and his assistants can exercise public relations when dealing with and investigating defendants.

The development of the judicial system is not limited to procedural matters, but also includes the mechanism of considering lawsuits in a civilised style while preserving the dignity and humanity of the accused (Al-Zuhaili, 2000). This could be made possible by considering the call from various countries to develop the judicial system in line with the development, and its accompanying revolution, in the world of communications, as well as using this development in the judicial system to avoid defects in many aspects of the different stages of litigation.

## **2 Significance and objectives**

The significance of this study stems from the importance of explaining the role of public relations in litigation procedures through exploring the origins of the litigation system and projecting the concepts of public relations and its characteristics on these procedures so that the mechanism is applied efficiently. These issues are essential for developing a reform policy for the judicial system, especially to address its shortcomings in terms of litigation procedures, which can be avoided and abstained by highlighting features of the practice of public relations and its role in achieving this objective through the application of a physiological formality procedural system when considering lawsuits and ruling between their parties (Al-Kandari and Gaither, 2011). This system must follow the provisions regulating the litigation procedures in each country. The primary objective of this study is to identify the role of public relations in the judicial council, and specifically to clarify the positive and negative effects of this relationship. The study also aims at revealing the extent of awareness of the officials of the judicial authority, which are the third authority in the State, of the role of public relations in improving the performance of the judicial system.

### **3 Problem statement**

This study tackles the issue of applying a system for practicing public relations in the litigation system, and the technical, legal, and administrative difficulties that affect the possibility of moving from a rigid legal system based on a question-and-answer style to a more flexible and balanced system. The study also focuses on the comprehensiveness of this system for all stages of the proceedings – from registration up to the awarding of the final decision. To illustrate this problem, four key questions are raised:

- 1 What are public relations and its characteristics?
- 2 What are the procedures followed in the judiciary?
- 3 Does the accused receive humane treatment during interrogation/investigation?
- 4 Does a good impression of a refined public relations style leave a good impact on the accused and affect the course of the trial?

In order to address the questions above, the rest of this paper is organised as follows: Section 4 looks at the concept of public relations in judicial institutions; Section 5 focuses on the procedures of practicing public relations when considering a lawsuit; Section 6 proposes a draft law that could be implemented in the judicial system; Section 7 concludes our analysis, and finally Section 8 provides a set of recommendations.

### **4 The concept of public relations in judicial institutions**

It is essential to look at the concept of public relations as a method of thought, communication and physical and mental connection in the channels of the judicial courts between the judge, who adjudicates the case, and the accused. The examination of such an issue is necessary for most of the countries in the world, of which their laws call for human respect and rights of the accused in the judicial council.

In order to shed light on the concept of public relations, we first talk about the concept of public relations and its objectives in judicial institutions. Then, we discuss the importance of activating these relations in the judicial system to reduce the defects that may exist in a traditional judicial system.

#### *4.1 Public relations and its objectives in judicial institutions*

We believe that the concept of public relations in judicial institutions is “based on a set of applied legal dialogic processes practiced by specialists (judges), with a high level of knowledge, expertise and legal skills, aimed at creating an environment of understanding and adaptation between the judge, who examines the case, and the accused present before him, using the direct communication method (dialogue), which consists of a question-answer method from the judge to the accused.” Therefore, when the researchers did not find, in the law and media literature, a particular definition that illustrates the concept of public relations in the judicial institutions, the definition below was derived.

Currently, the subject of public relations, according to Al-Saidi (2013) is considered a cornerstone of any administrative institution, especially the judicial system, because of its original objectives and functions. We believe that public relations in the legal field represent a psychological aspect that is best used by the judge with the accused in the right style and from a practical professional aspect implementing the best practices of the judiciary institution.

Research on the issue of the concept of public relations in judicial institutions is necessary but has been overlooked by specialised researchers, whether in the branch of law or media. The goal is to show the extent of the connection between judges and defendants within the courtroom and during the proceedings. Therefore, if such public relations exist, will the judge and the judicial system, as represented by the judicial council through which this judge announces orders, achieve productive efficiency?

Public relations in judicial institutions do not only indicate the way to receive and deal with the accused now, or a method for opening or considering the case. However, the function of public relations in judicial institutions is broader and more comprehensive, starting from the moment the accused surrenders himself to the hands of the judge and the Judicial Council to continue the investigation, and ending with the final verdict, by either conviction or innocence. This process is done through a particular style, which is what we aim to investigate in our study i.e. the method of public relations in judicial institutions.

The objectives sought by public relations in the judicial institution, for both types (administrative or ordinary), can be summarised in the following points:

- First: to develop the productivity of the judicial system and its employees, both administrators and judges must follow previously specified legal instructions that clarify and explain the mechanism of an effective treatment in this critical facility, especially when dealing with defendants in the courtroom.
- Second: address the crises that may arise during the judicial proceedings, which may be caused by one of the parties of the dispute (plaintiff and defendant) or the body that considers the case, whether intentionally or unintentionally.
- Third: achieve a good reputation for the judiciary system when a pattern in a legislative framework of public relations is followed, at the internal and external levels of the State.

#### *4.2 The importance of public relations in the judicial system*

It is necessary to start with the fact that the practice of public relations in the judicial institution in different countries of the world, even most of them, is far from the accurate written legal reality following certain provisions. For any administrative action in an institution to be successful, the practices of the institution and methods for dealing with this activity, as well as its management, must be translated within the right scientific foundations in a framework. This process should not be taken as an automatic procedure that depends on normal operations of the institution or on human instinct, or even administrative management that controls the process automatically without the essential determinants to be followed in their approach or without measuring their applied impacts. Thus, the judicial system is one of the most critical assets of the State, which concerns itself with ensuring rights for their actual owners.

According to Fitzpatrick (1996) public relations professionals might be at risk of legal liability due to their lack of professionalism in the judiciary field. The author showed that lawyers often play an essential role in public relation decisions compared to the tense relationship between public relations and the legal counsel. It is hard to continue to marginalise the role of public relations in the judicial system. Therefore, we aim, in this study, to achieve the ultimate objective, which is to coordinate the application of the methods of public relations within the judicial system such that the various departments and sections are also included. The human element (employee, detective, judge, and defendant), its performance, and the relationship between each one, are the subjects and the main attention of this study (Hisham, 2011; Al-Enad, 1992). The importance of public relations in the judicial system is discussed in detail in the second part of this study.

## **5 Procedures for practicing public relations when considering a lawsuit**

Every court must abide by the established standards while performing the task of resolving and adjudicating the disputes they consider, which leads to freedom and equality being achieved between the litigants (the plaintiff and the defendant). Violation of any of the legally prescribed rights of any person (Al-Awamleh, 1993), whatever these rights are, is a matter that confers on this court the character of unconstitutionality.

Therefore, the researcher discusses the rights of the accused during the investigation stage (Section 1) and the guarantees of the accused during interrogation (Section 2) in order to determine whether public relations exist or not.

### *5.1 The rights of the accused during the investigation stage*

The preliminary investigation consists of “procedures aimed at searching for evidence relating to a crime committed, verifying their existence and validity, compiling, and then assessing them in order to determine their adequacy and, accordingly, to refer the accused to trial” (Hosni: cited in Al-Saeed, 2008).

The preliminary investigation, which is carried out by the Public Prosecution as an indictment authority aimed at collecting evidence supporting and reinforcing the charge, is the initial stage of the investigation of the accused in the case alleged to him. This stage is just a preliminary stage in the trial stage and does not aim at adjudicating the case and resolving it, but rather to collect essential elements for the judiciary resolution and ruling.

It is necessary at this stage to activate the role of public relations with the accused in order to ensure the safety of the legal procedures taken by the Public Prosecution. Therefore, several guarantees for the preliminary investigation, both objective and personal, exist.

Prominent examples of objective guarantees are the publicity of the preliminary investigation for litigants and its confidentiality for others. This guarantee is visible and shall not be waived or neglected except in the case of urgency and necessity. The public prosecutor has the right to investigate isolation from the litigants or even their agents. Examples of personal guarantees are full access to investigations by litigants and their agents in order to protect the right of the accused to defend himself. This is done in compliance with the text of the law that stipulates the presence of the accused and the adversaries of these investigations. Moreover, Kim and Heo (2018) indicate that the

Improper Solicitation and Graft Act, which came into effect in 2016, strictly prohibits the delivery of gifts to journalists, making the traditional practice of public relations in Korean media illegal. This study, which included 342 public relations professionals, showed that new external regulations arising from the implementation of statutes could affect the personal influence model of media relations.

#### *The guarantees of the accused during interrogation*

The guarantees of the accused at the time of interrogation are considered part of personal guarantee. The most important of these guarantees is the impartiality of the investigator when investigating the truth to establish or deny the evidence for the accused, and to deal quietly with those whom he investigates because of the different topography of the defendants. The investigator should not exercise the fear method by abusing his authority, which may lead to confusion, stuttering or perhaps silence from the accused. The investigator must control his nerves, be patient, keep boredom at bay, must not proceed in haste, or in a rushed state, and keep the confidentiality of the interrogation under wraps.

Therefore, legislators of different judicial legislatures in all countries of the world, and as is customary, have equipped the Public Prosecution with numerous coercive means and have authorised many ways to unravel the truth, while establishing legal controls against violating the fundamental rights of individuals, such as the sanctity of the home, individual freedom, and confidentiality of correspondence.

Even in the second stage, the trial stage, in which each accused has the right to discuss and refute evidence provided, as managed by the judge, must be conducted in a refined style aimed at preserving the dignity and humanity of the accused.

The legislature has organised the general principles of the trial by identifying the competent authority in the judiciary based on the difference in the type of case and determination of the judges. The legislature enacted specific and explicit guarantees for the judiciary to be independent and impartial and stated the objections of the judiciary in explicit texts explaining each objection accurately and enacting such objections by law in a specific system. The legislature also stated the principles related to the publicity of the oral, confrontational, or judicial trial and compelled the judge to build his judgment on the evidence presented and available for discussion in the hearing. Despite the legislature's restriction on the court to the limits of the case, so that its judgment is valid, whether by complying with the personal or tangible limitations of the case, and despite obliging the court to document all information of the trial procedures, and with respect and appreciation to the above-mentioned efforts from legislatures, most legislatures around the world have overlooked the role of public relations within judicial institutions. This role has prime importance that we must draw attention to due to the scientific sophistication and technological advancements associated with the preservation of human rights, and due to the tremendous development of human rights laws and human rights organisations. Therefore, the researchers believe in the necessity of enacting legislation that sets out the rules and regulations for the practice of public relations between the accused and the other party, whether it be an investigator or a judge, as a response to preserving and protecting the dignity and humanity of the accused.

## **6 Draft law proposition**

Based on the above, we believe that a solid foundation must be established to ensure the actual, real, logical, practical, and operational continuity of public relations, ordinary and administrative, in judicial institutions. Such a foundation enables these institutions to be free from practical, ethical, and behavioural errors, and to move forward with strength, innovation, efficiency, and effectiveness, with the highest judicial professionalism and work ethics.

In order to achieve this objective, with the utmost scientific humility, we introduce a draft law (regulating public relations within the judicial system) based on the provisions of the constitution in the State that concerns the enactment of such a draft. This draft law, which is delineated in a set of articles below, in case of its enactment and approval by legislative authority, will act as a foundation for regulating public relations.

### *Article (1)*

This law shall be called the Law Regulating the Public Relations within the Judicial Institutions No. (...) for the year .... and shall be effective from the date of its publication in the Official Gazette.

### *Article (2)*

The following words and expressions mentioned in this Law shall have the meanings assigned thereto unless the context in that country indicates otherwise:

- Judicial Public Relations

The relationship between the judiciary council, in all its aspects, and the defendants attending at its presence.

- The Council

Judicial Public Relations Council at courts.

- Directorate

Any legal directorate, investigative body, judicial body, or public official investigative entity belonging to the Government.

- President

President of the Council.

### *Article (3)*

The Judicial Public Relations Council shall be established in the State and shall be based in a city and may have other branches in the rest of the State, enjoy a legal personality, have financial and administrative independence, and shall be liable in such capacity. The Council may delegate in the judicial and legal proceedings the civil attorney general or any other attorney chosen for this purpose.

### *Article (4)*

This Law shall be valid and shall include all employees and workers of the public and administrative judiciary sector regardless of their positions and career levels.

*Article (5)*

- The Council shall investigate the procedures of the application of public relations within the judicial bodies of all types with the accused in a manner consistent with the Law.
- Complaints, transgressions, and violations relating to the proper application of public relations shall be forwarded to the Council no later than one month from the date of their receipt by a special committee to decide in this matter and as soon as possible (one week) from the date of commencement of the consideration of such complaints and violations.

*Article (6)*

The Government of the State, represented by the Supreme Judicial Council, shall ensure that the complaints received by the Judicial Public Relations Council shall be considered seriously by the Committee to be determined thereupon.

*Article (7)*

- The Judicial Public Relations Council shall be managed by seven members of impartiality, expertise, and legal competence. They shall all be appointed by a decision of the Council of Ministers for a four-year term renewable only for one term. The decision shall be determined by the President of the Council and a Deputy exercising the powers of the President in his absence.
- The Council shall hold its meetings at least four times a month at the invitation of its President. The quorum shall be legal if at least three members are present, provided that the President or his deputy is among the attendees. The recommendations and resolutions of the Council shall be issued by the majority. If the votes are equal, the aspect of which the President or his Deputy has voted for shall be preponderant.

*Article (8)*

- The Council shall be managed by a Legal Board composed of eleven members of impartiality, expertise, and competence appointed by a decision of the Council of Ministers for a four-year term renewable only for one term. The decision shall be determined by a Chairman of the Council and a Deputy Chairman who shall exercise his powers in his absence.
- The Board shall hold its meetings at least twice a month at the invitation of its Chairman. The quorum should be legal if at least six members attended, provided that the Chairman or Deputy Chairman is among the attendees. The Board's recommendations and resolutions shall be issued by the majority. If the votes are equal, the aspect of which the President or his Deputy has voted for shall be preponderant.

*Article (9)*

The Council shall assume the task of applying public relations in the judicial institutions of all kinds and levels.



*Article (10)*

Subject to the provisions of this Law, the Council of Ministers may issue the necessary regulations for its execution, including the regulations relating to all the procedures and general financial matters of the Council, the salaries of its employees, the assignees or the seconded, the remuneration of all types, the organisation of other rights and duties, the working mechanisms of the Fund, and the Council and any other matters required for execution.

*Article (11)*

The Council may establish internal instructions or regulations to regulate the various aspects of its administrative, procedural, and financial work if deemed necessary, provided that such instructions or regulations shall not contradict the provisions of this Law or the regulations issued for its execution.

## **7 Conclusions**

This study tackled a critical topic in the fields of media and law in the contemporary age, entitled 'The Impact of Practicing Public Relations as a Civilised Style on the Judicial Institutions Performance'. The study dealt with the role of public relations between the judge and the accused in the Judicial Council through research in the context of public relations by defining its meaning and importance in developing the judicial system. The study then addressed the investigation and litigation procedures by indicating the framework for applying these public relations within stable legal texts that apply to the imposition of penalties on those who violate them. Besides that, the study tackled consideration of the legal lawsuit in the judicial system and its resolution based on exchange of information between the accused and Judicial Council following the specific standards referred to in this study.

The study concluded that the concept of public relations in the context of media research aims to overcome the administrative and communicative obstacles found in the traditional judicial system between the accused and the Judicial Council. Therefore, it was necessary to expand the application of proper public relation formalities to include all litigation proceedings from beginning to end. This was done with emphasis on the general principles that can guarantee litigation, achieve justice, and without prejudice to the principle of the rule of law, which is the basis of any judiciary, and which is limited to the development of the mechanism of litigation and trial of the accused by depending on the traditional means of question and answer. The study concluded that there is a need to regulate these procedures legislatively to match the general rules and principles of the laws governing litigation, considering the unique nature of the human rights of the accused.

## **8 Recommendations**

In order to avoid all obstacles and difficulties in the application of the public relations system by the investigator/judge to the accused, the study concludes with the following set of recommendations:

- An infrastructure for the courts should be put in place to prepare all material and human tools such that it will become compatible with the application of this system, if approved by the legislature 'draft law regulating public relations within the judicial institutions' and provide judges and their assistants with specialised courses in public relations in order to achieve the desired goal.
- The litigation systems in all countries of the world should be amended by adding legal provisions that would move this system, from a system of litigation limited in its application to fixed and rigid procedures, to a system of litigation based on proper public relations following logic and law.
- An international legal centre called 'the International Center for Control of Respect for the Application of Public Relations in Judicial Institutions of the State', which will be based in the United Nations to coordinate efforts among States, should be established, to urge and follow up on the application of public relations in their judicial institutions in a manner respectful to human dignity and humanity. The Center will also coordinate, in coordination with States, a comprehensive definition of public relations in judicial institutions.
- Qualifying human resources must work in the judicial system, whether judges or staff, in addition to lawyers in cooperation with the Bar Association, and efficient and effective means of communication should be used in special litigation procedures based on proper public relations.
- The seriousness of public relations and its prominent role in the judicial institutions should be stressed upon in the curricula of the students of the Faculty of Media and the Faculty of Law, in order to raise awareness of its media and legal impact.

## References

- Al-Awamleh, M.S. (1993) *General Human Rights and Duties in Transportation, Fire and Application, Comparative Analytical Study*, Vol. 3, 2nd ed., Amman, Jordan.
- Al-Enad, A.H. (1992) 'The value of public relations conducts in Saudi Arabia', *Public Relations Review*, Vol. 18, No. 2, pp.213–221.
- Al-Kandari, A. and Gaither, T.K. (2011) 'Arabs, the west and public relations: a critical/cultural study of Arab cultural values', *Public Relations Review*, Vol. 37, No. 3, pp.266–273.
- Al-Saeed, K. (2008) *Explanation of the Code of Criminal Procedure (A Comparative Analysis of the Jordanian, Egyptian, Syrian and Other Laws)*, p.413, Dar Al Thaqafa for Publishing and Distribution, Jordan.
- Al-Saidi, Y.A. (2013) *The Role of Public Relations in Achieving Job Satisfaction of Employees of Kuwait's Al-Rai and Kuwait Times*, Master thesis of Media, Middle East University, Second Semester, p.1.
- Al-Zuhaili, W. (2000) *The Right to Freedom in the World*, 1st ed., Dar Al-Fikr for Publishing and Distribution, Damascus, Syria.
- Fitzpatrick, K.R. (1996) 'Public relations and the law: a survey of practitioners', *Public Relations Review*, Spring, Vol. 22, No. 1, pp.1–8.

- Hisham, B. (2011) *The role of public relations and its impact on the performance of the Algerian public institution: An Empirical Study*, Master thesis, Algerian Telecommunications Corporation (Annaba), Baji Mukhtar University/Annaba, Faculty of Arts, Humanities and Social Sciences, p.12.
- Kim, S. and Heo, J. (2018) 'An exploratory study of transformed media relations dimensions after the implementation of an anti-graft law in Korea', *Public Relations Review*, Vol. 44, No. 3, pp.363–373.