



MEDIA GUIDELINES FOR HEARINGS

Released 13 April 2022

INTRODUCTION

1. These Guidelines are issued under section 5(3)(a)(iii) of the *Commissions of Inquiry Act 1995* (Tas) (Act) and set out general guidance regarding media matters in relation to the work of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (Commission).
2. These Guidelines should be read in conjunction with the Act and the Order under section 4(1) of the Act dated 15 March 2021 establishing the Commission (Order), as well as the Commission's practice directions.
3. The Commission may, at any time, vary or depart from these Guidelines if it considers it appropriate to do so, subject to the Act and the Order.
4. These Guidelines apply to all news media organisations and their representatives, freelance journalists and any other individuals who report and publish information on the Commission's hearings and its inquiry, including any news media organisation representatives or individuals who attend the Commission's hearing venues in person.
5. Dates and locations of hearings will be published on the Commission's website and the Commission's social media channels.

PURPOSE

6. The Commission will conduct hearings and recognises the media has an important role to play in reporting on its work.
 7. The Commission seeks to work co-operatively with news media organisations to:
 - communicate with the public and develop the community's understanding of the Commission's inquiry and child sexual abuse in institutional contexts more generally, and
 - facilitate fair and accurate public reporting of the Commission's inquiry, particularly its hearings.
 8. The Commission intends to publish hearings information on its website in a timely manner, including witness statements and transcripts. Given the highly sensitive nature of much of the information relevant to the Commission's inquiry, the release of information is subject to any relevant legal, privacy and safety considerations and may be subject to a delay. The Commission will not release information, including witness statements and transcripts, which is subject to a restricted publication order or exclusion order.
 9. Further details about the operation of the Commission's hearings and the publication of information can be found in *Practice Direction No. 5 – Hearings*.
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10. These Guidelines set out the Commission's expectations of news media organisations, their representatives and other individuals when reporting and publishing information on the Commission's inquiry. The Guidelines also specify the terms and conditions upon which media may be permitted to use the Commission's dedicated media facilities at its hearing venues.

DEFINITIONS

11. In these Guidelines, these terms have the following meanings:

Exclusion order means an order made by a Commissioner excluding a person or persons from a hearing or proceeding of the Commission in accordance with section 13(2) of the Act. An exclusion order may, for example, enable a witness to provide their evidence in a closed hearing with only certain people present in the hearing room.

Media Liaison Officer is Peta Carlyon or a delegate acting in her place.

News media organisation means:

- (a) a commercial enterprise that engages in the business of broadcasting or publishing news, or
- (b) a public broadcasting service that engages in the publication of news through a public news medium.

Publish means disseminate or provide access to the public or a section of the public by any means, including by:

- (a) publication in a book, newspaper, magazine or other written publication
- (b) broadcast by radio, podcast or television
- (c) electronic communication (including by publication on the internet or social media), or
- (d) bring to the notice of the public or any member of the public by any other means.

Registered media means a person employed, contracted or otherwise engaged by a news media organisation who attends a Commission hearing venue in person and registers their attendance each day with the Media Liaison Officer. Registered media gain access to dedicated media facilities at the hearing venues.

Restricted publication order means an order made by a Commissioner prohibiting or restricting the publication of information or evidence under section 14 of the Act. A restricted publication order may, for example, prohibit the publication of any information that may identify a witness.

RESTRICTIONS ON FILMING AND RECORDING AT HEARING VENUES

12. Subject to any direction or order to the contrary, the Commission will live stream its hearings to the Commission's website. The live stream will be delayed to accommodate any restricted publication orders.
13. The Commission does not permit filming (including sound recording) or still photography of:



- the hearing room or other rooms and facilities at the hearing venues
 - the public gallery or witness box within the hearing room
 - any foyer, reception or lifts of a building in which the Commission is conducting a hearing, and
 - the Commissioners, Counsel Assisting the Commission, Commission staff, Commission lawyers, witnesses, their legal representatives or members of the public, either in the hearing room or entering or leaving the hearing room.
14. With prior agreement from the Media Liaison Officer, the Commission may permit limited filming of the opening and closing hearings by a pool camera or a photographer engaged by the Commission. The Media Liaison Officer may, by prior agreement, permit filming (including sound recording) in the media room.
15. Mobile phones, laptops, tablets and other electronic devices must be placed on silent while in the hearing room.
16. At all times, news media organisations and their representatives must comply with:
- these Guidelines
 - relevant legal requirements, including (without limitation) under the *Evidence Act 2001* (Tas) and the *Youth Justice Act 1997* (Tas)
 - restricted publication orders and exclusion orders
 - practice directions issued by the Commission, and
 - requests by Commissioners or Commission staff.
17. Registered media organisations, their representatives and other individuals must also observe any delay in the livestream broadcast prior to publishing any material from the hearing venues, to ensure they comply with any relevant restricted publication orders or exclusion orders.
18. The onus is on news media organisations, their representatives and other individuals to be aware of, understand and comply with these requirements, including ascertaining whether any relevant restricted publication orders or exclusion orders exist and the terms of those orders.
19. If news media organisations, their representatives or other individuals do not comply with paragraphs 12 to 18, access to the Commission's information, hearings and facilities may be withdrawn and they may be excluded from the hearings under section 13(2) of the Act.
20. News media organisations, their representatives and other individuals are also requested to be mindful when filming outside the hearing premises. This includes ensuring such filming complies with any restricted publication orders and any requests of the Media Liaison Officer or Commission staff not to film specific individuals outside the hearing venues.



ACCESS TO DEDICATED MEDIA FACILITIES BY REGISTERED MEDIA

21. If a representative of a news media organisation wishes to access the Commission's media facilities at its hearing venues, they must present photographic identification issued by a news media organisation. The Media Liaison Officer may also consider applications from any freelance journalists who wish to report upon and publish information about the hearings. All such people must register their attendance with the Media Liaison Officer upon arrival at the venue each hearing day and agree to comply with these Guidelines before accessing the media facilities.
22. Approval for media registration and use of the Commission's media facilities will be at the sole discretion of the Media Liaison Officer. All persons approved for media registration must also comply with, and meet the requirements under, the Commission's *COVID-19 Vaccination Policy*.
23. Any person who is approved for media registration will be given a lanyard identifying them as registered media which will enable them to access the dedicated media facilities for that day. Lanyards must be returned to the Media Liaison Officer at the conclusion of the hearing day.
24. During the hearings, registered media will have access to:
 - a dedicated media room from which to prepare and publish reports of the hearings
 - a working space at the back of the hearing room (if space permits)
 - a dedicated audio-visual feed of the hearings accessible from the media room
 - the live and unedited transcript, accessible from the media room, and
 - appropriate access to any information, evidence or document relevant to a particular hearing.
25. Such facilities, information, evidence or documents must only be used for the purpose of, and to the extent necessary for, fair and accurate public reporting of the Commission's inquiry and not used (or permitted to be used) for any other purposes.

USE OF THE LIVE TRANSCRIPT

26. Registered media will have access to a live and unedited transcript in the media room. The live transcript will not be subject to a delay and may contain errors or material which is subject to a restricted publication order.
27. Registered media **must** seek approval from the Media Liaison Officer prior to publishing any quotes from the live transcript. The Commission is aware of the need to ensure fair, accurate and timely reporting and communication with the public in relation to the Commission's inquiry. The Commission will seek to approve such quotes in a timely manner.

INTERVIEWS AND MEDIA LIAISON WITH THE COMMISSION

28. Interviews with witnesses and members of the public will not be facilitated by the Commission and are not permitted within the hearing venues.



**Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings**

29. All news media organisation contact with the Commission as contemplated by these Guidelines (unless indicated otherwise), including requests for comment, should be directed to Peta Carlyon, Media Liaison Officer, on 0457 037 760 or at peta.carlyon@commissionofinquiry.tas.gov.au.