



## MEDIA GUIDELINES

RELEASED 7 JULY 2015

### INTRODUCTION

1. These Guidelines deal with media matters in relation to the Royal Commission into Family Violence (**Royal Commission**).<sup>1</sup>
2. These Guidelines may be varied from time to time.
3. The Royal Commission may, at any time, depart from these Guidelines if it considers it appropriate to do so.

### OBJECTIVES

4. The Royal Commission recognises that the media has an important role to play in relation to the Royal Commission's inquiry.
5. The Royal Commission seeks to work co-operatively with news media organisations to:
  - 5.1. communicate with the public and develop community understanding of the Royal Commission's inquiry and family violence more generally; and
  - 5.2. facilitate fair and accurate public reporting of the Royal Commission's inquiry, particularly its public hearings.
6. The Royal Commission intends to release as much information about its inquiry as possible, subject to legal, privacy and safety considerations, especially given the very sensitive nature of much of the information relevant to its inquiry.

### DEFINITIONS

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

**Exclusion Order** means an order made by a Commissioner excluding any person from the Royal Commission's proceeding under section 24 of the Act.

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<sup>1</sup> Issued under section 16(1) of the *Inquiries Act 2014* (Vic). This statement may be updated and varied from time to time.

**News media organisation** means:

- (a) a commercial enterprise that engages in the business of broadcasting or publishing news; and
- (b) a public broadcasting service that engages in the dissemination 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 or television;
- (c) broadcast or electronic communication, including by publication on the internet; or
- (d) bring to the notice of the public or any member of the public by any other means.

**Restricted Publication Order** means an order made by a Commissioner prohibiting or restricting the publication of information or evidence under section 26 of the Act.

## **BACKGROUND**

- 8. In accordance with the Royal Commission's statement entitled *How We Work*, a copy of which is available on the Royal Commission's website, the Royal Commission will generally adopt the following approach to information:
  - 8.1. written submissions may be available to the general public, unless the person or organisation making the submission has requested anonymity or confidentiality (in whole or in part) or the Royal Commission otherwise determines the submission should not be made available;
  - 8.2. information from the community consultations and stakeholder and expert roundtable discussions will not be available to the general public;
  - 8.3. a list of witnesses for the public hearings will be published on the Royal Commission's website prior to the hearings;
  - 8.4. transcripts of the public hearings will be uploaded onto the Royal Commission's website as soon as practicable;
  - 8.5. the Royal Commission may publish information given by a witness at the public hearing (including any witness statement); and

- 8.6. any person or organisation (or the legal representative of that person or organisation) granted leave to appear or appearing as a witness may be granted appropriate access to any information, evidence or document relevant to the particular hearing, but only for the purpose of appearing at that hearing and subject to any other direction made by the Chairperson of the Royal Commission (or presiding Commissioner).

## **PUBLIC HEARINGS**

9. During the public hearings, news media organisations representatives **may** use personal laptop computers, tablets, mobile telephones and other electronic devices for electronic note-taking, text messaging, tweeting and publishing reports from the hearing room, provided such devices are switched to silent mode and any such use does not interfere with the hearing.
10. During the public hearings, people in the hearing room (including news media organisations representatives):
- 10.1. **may not** use mobile telephones for making or receiving calls;
  - 10.2. **may not** record any of the proceedings (without the prior approval and facilitation of the Media and Communications Manager); and
  - 10.3. **may not** photograph or film any of the Commissioners, Royal Commission members of staff, witnesses or members of the public, either in the hearing room or entering or leaving the hearing room (without the prior approval and facilitation of the Media and Communications Manager).
11. At all times, news media organisations and their representatives must comply with all:
- 11.1. relevant legislative requirements;
  - 11.2. any Restricted Publication Orders or Exclusion Orders; and
  - 11.3. all Royal Commission Practice Directions and any reasonable requests by Royal Commission officers.
12. If news media organisations and their representatives do not comply with paragraphs 10 and 11, access to the Royal Commission's information, public hearings and facilities may be withdrawn and any representative may be expelled from the public hearings under section 25 of the Act.

## **MEDIA REGISTRATION AND FACILITIES**

13. If an accredited news media organisation wishes to access the Royal Commission's media facilities, they must register with the Royal Commission.
14. During the public hearings, the Royal Commission intends to make available to registered news media organisation representatives the following facilities:
  - 14.1. a dedicated media room (accessible only with a security pass) from which to prepare and publish reports of the public hearings;
  - 14.2. a dedicated audio-visual feed of the public hearings (accessible from the media room);
  - 14.3. appropriate opportunities to photograph and/or film the Commissioners and the hearing room (with the facilitation of the Media and Communications Manager); and
  - 14.4. appropriate access to any information, evidence or document relevant to a particular hearing,

provided such facilities, information, evidence or document are only used for the purpose of, and to the extent necessary for, fair and accurate public reporting of the Royal Commission's inquiry and not used (or permitted to be used) for any other purposes.
15. All applications for registration must be made on the form attached to these Guidelines entitled "Registration form for news media organisations and their representatives".
16. The application form may be sent via:
  - 16.1. email to: Tracey.Matters@rcfv.com.au; or
  - 16.2. hand delivery to: Level 11, 222 Exhibition Street, Melbourne.
17. The Royal Commission will consider all applications for registration from accredited news media organisations and determine which applicants should be registered. The Royal Commission will notify applicants of its determination.

## **LEGISLATIVE RESTRICTIONS**

18. Various legislation prohibits, or imposes limitations on, the publishing of certain types of information which may potentially be received by the Royal Commission.
19. Such legislation includes (without limitation):
  - 19.1. Part 8 of the *Family Violence Protection Act 2008* (Vic);

- 19.2. sections 191 and 534 of the *Children, Youth and Families Act 2005* (Vic);
  - 19.3. sections 3 and 4 of the *Judicial Proceedings Reports Act 1958* (Vic);
  - 19.4. section 121 of the *Family Law Act 1975* (Cth); and
  - 19.5. sections 17, 20, 25 and 26 of the *Open Courts Act 2014* (Vic).
20. The onus is on news media organisations and their representatives to understand these requirements, including ascertaining whether any relevant suppression orders exist and to comply with all such requirements.

### **RESTRICTED PUBLICATION ORDERS**

21. At all times, any access to information, evidence or documents contemplated by these directions is subject to a Commissioner exercising the power under section 26 of the Act to make a Restricted Publication Order.
22. A Commissioner may make a Restricted Publication Order prohibiting or restricting the publication of:
- 22.1. any information that may enable the identity of a person who has given, or is to give, information or evidence to the Royal Commission for the purposes of its inquiry to be ascertained; or
  - 22.2. any information or evidence given to the Royal Commission for the purposes of its inquiry.
23. A Commissioner may make a Restricted Publication Order if:
- 23.1. prejudice or hardship might be caused to any person, including harm to their safety or reputation;
  - 23.2. the nature and subject matter of the information is sensitive;
  - 23.3. there is a possibility of any prejudice to legal proceedings;
  - 23.4. the conduct of the proceeding would be more efficient and effective; or
  - 23.5. the Commissioner otherwise considers the prohibition or restriction appropriate.
24. On the same grounds, a Commissioner may make an Exclusion Order under section 24 of the Act.

25. Any Restricted Publication Orders or Exclusion Orders will be placed on the door of the place where the public hearings are being conducted and will otherwise be available to any news media organisation.
26. The onus is on everyone attending the public hearings (including news media organisations and their representatives) to ascertain whether any Restricted Publication Orders or Exclusion Orders exist and, if so, strictly comply with all such orders.

#### **MEDIA LIAISON WITH THE ROYAL COMMISSION**

27. All news media organisation contact with the Royal Commission as contemplated by these directions (unless indicated otherwise), including registrations and requests for comment, should in the first instance be directed to Tracey Matters, Media and Communications Manager, on 0417 230 503 or at [Tracey.Matters@rcfv.com.au](mailto:Tracey.Matters@rcfv.com.au).



**Registration Form for News Media Organisation Representative**

<b>News Media Organisation</b>	
Contact address	(State) (Postcode)
<b>Representative</b>	
Contact telephone number	(Business) (Mobile)
Contact email address	
<b>Media room</b> I request access to, and a security pass for, the media room.	<input type="checkbox"/> Yes <input type="checkbox"/> No

We undertake, and will procure that each of our news media organisation's representatives undertakes, to:

- (a) only use any Royal Commission media facilities and information for the purposes of, and to the extent necessary for, fair and accurate public reporting of the Royal Commission's inquiry and not use those facilities or information (or permit them to be used) for any other purposes;
- (b) exercise all reasonable care in accessing, storing and publishing any Royal Commission information;
- (c) comply with all relevant legislative requirements (including, without limitation, the *Family Violence Protection Act 2008* (Vic), the *Children, Youth and Families Act 2005* (Vic), the *Judicial Proceedings Reports Act 1958* (Vic), the *Family Law Act 1975* (Cth) and the *Open Courts Act 2013* (Vic));
- (d) comply with any Restricted Publication Orders or Exclusion Orders; and
- (e) comply with all Royal Commission Practice Directions and any reasonable requests by the Royal Commission officers.

We acknowledge that a breach of these undertakings may result in our registration and access to the Royal Commission's media facilities, information and public hearings being withdrawn and in any representative being expelled from the public hearings under section 25 of the Act.

**Signed** for and on behalf of the news media organisation by:

\_\_\_\_\_

Name (print):

\_\_\_\_\_

Title:

Date:

Please lodge this form by sending it via:

- email to: [Tracey.Matters@rcfv.com.au](mailto:Tracey.Matters@rcfv.com.au); or
- hand delivery to: Level 11, 222 Exhibition Street, Melbourne.