

County Court of Victoria Media Guidelines

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Introduction

The County Court of Victoria's Media and Communications Team was established to proactively engage with media and improve media access to Court information, and in turn, increase the community's understanding of the Court's work.

The purpose of these guidelines are to:

- Assist journalists and media organisations with reporting on and within the County Court.
- Ensure Court hearings run smoothly and in a professional manner with minimal disruption.

Please note these Guidelines are subject to the direction of the presiding Judge.

Contact

All media enquiries (including submitting a '*Media Request Form*', feedback and complaints) should be emailed to the Media and Communications Team via media@countycourt.vic.gov.au

Definitions

The County Court defines a "**journalist**" as a person who is:

- Employed by a media organisation as a writer, editor or person who prepares news to be broadcast/published.
- Engaged as a freelancer/contractor by a media organisation as a writer, editor or person who prepares news to be broadcast/published.
- A current 'media accredited' member of the Media, Entertainment and Arts Alliance (MEAA).

A "**media organisation**" includes an entity engaged in disseminating information to the general public through print and online publications, radio or audio publications (e.g. podcasting), television and any other medium of communication accessible by the public or a section of the public.

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

- Publication in a book, newspaper, magazine or other written publication.
- Broadcast by radio or television.
- Public exhibition.
- Broadcast or electronic communication.

"**Court staff**" includes judges, court security and staff employed or contracted by the County Court including associates, tipstaves, and administrative staff.

Responsibilities of Journalists and Media Organisations

The onus is on all journalists and media organisations to ensure their broadcasts and/or published news reports comply with relevant legislation and suppression orders.

Jury Verdicts and sentences may be published in real time. Real time publishing of any other information in jury trials is not permitted as it may risk the publication of inadmissible, withdrawn, or suppressed material

Journalists should also familiarise themselves with the *Court Security Act 1980*, which sets out unlawful conduct within the Court building.

Identifying as a Journalist

Bona fide journalists are given additional privileges in Court, permitted by legislation or the direction of the Judge, that are not afforded to members of the general public.

In order to be granted the journalistic privileges detailed in this document, an individual must satisfy Court staff that they are a bona fide journalist by identifying themselves upon entering the Court room or upon request through the presentation of at least one of the following forms of identification:

- Court-issued media lanyard (if the journalist is accredited with the County Court).

- Media organisation ID card (with photo, full name, and organisation).
- Media, Entertainment and Arts Alliance (MEAA) 'media accredited' member card.

These forms of identification must be current, and not expired.

If Court staff are not satisfied that an individual is a bona fide journalist, they can refer them to the Media & Communications Team.

Become a County Court Accredited Journalist

The most effective way for a journalist to identify themselves to Court staff is to become accredited.

County Court accredited journalists are given access to additional services, benefits, and communications including:

- Access to the media portal (*a secure website containing audio recordings of recent sentences/decisions*).
- Email notifications for Daily Criminal Hearings Accused Charges List (*contains the charges of all criminal matters to be heard for the day*).
- Email notifications of induction sessions for journalists new to Court reporting (*held regularly at the County Court in Melbourne*).
- Email notifications regarding County Court events for journalists/media.
- Access to Media Room (*shared office space provided as a courtesy for journalists who frequent the Court*).

For more information, please see the *Accreditation Policy* available on the County Court website.

Contact the Media and Communications Team if you wish to become accredited. Accreditation is valid for 12 months and must be updated with the Media and Communications Team annually.

Requests for Court materials

All media requests must be emailed to the Media and Communications Team to facilitate. Judges, Associates, registry, and any other court staff are not to be contacted directly.

Some requests can be made in the body of an email, whereas others require submitting a formal application to the Judge (see "*Media Request Form*").

When an application is granted by a judge, the approved materials will only be released to the applicant(s) named in the media request form. The applicant(s) are not to provide copies of the material(s) to any other person or organisation, without the judge's permission.

Materials/information generally provided to media without an application to the Judge include:

- Sentencing remarks.
- Sentencing outcomes.
- Judgments.
- Hearing dates.
- Charges.
- Verdicts.
- Status of jury empanelments.

Materials/requests which require an application to the Judge include:

Documents:

- Indictments.
- Prosecution summaries.
- Defence responses.
- Transcripts.
- Tendered exhibits (photos, CCTV, record of interviews, etc.).

- Judge's photo for broadcast/publication.

Requests:

- Audio recording of sentences or judgments.
- Listening to audio recording of sentences or judgments.
- Filming of sentences for broadcast or publishing purposes.
- Access to criminal or appeal files.
- Court artists.

Use of Electronic Equipment in Court Rooms

Journalists are required to identify themselves to Court staff when inside the Court Room to use electronic devices (e.g. laptops, iPads, smart phones, etc.) for note taking or publishing purposes. See "Identifying as a Journalist" for more information.

This does not include audio recordings, as a separate application is required to be made to the presiding Judge via submitting a media request form to the Media and Communications team.

If Court staff are not able to ascertain whether an individual is a bona fide journalist, they can direct the individual to switch off and/or cease using their electronic devices.

A Judge can direct all Court users to switch off/cease using their electronic devices at any time.

Photographs and filming of Judges

An application can be made to the Media and Communications team to film Court decisions or to request photos of the Judge to accompany broadcasts and/or published news reports.

Unauthorised photos or filming of Judges in Court or entering and leaving the Court building is not permitted.

Court Artists

Requests can be made to the Judge for a Court artist to be present during proceedings to sketch persons other than the jury, such as the accused or witnesses via the media request form.

Filming

Journalists who wish to film proceedings for the purpose of broadcasting a Judge's comments must submit a media request form to the Media and Communications Team in advance.

Pre-recordings of a Judge can be arranged if the Judge agrees.

Access to Court Files

Civil matters

Journalists can contact or visit the relevant metro or circuit registry counter to inspect civil files. Search fees have been waived for journalists upon presentation of the appropriate identification. Documents may be photocopied for a fee.

Applications to release tendered exhibits from a civil trial can be made via the media request form.

Criminal matters

Journalists will need to submit a media request form to inspect criminal files.

There are some items that will not be retained in the Court file when a matter has been finalised. For example, journalists will need to contact the Office of Public Prosecutions to request documents such as depositions.

Items that generally will not be released to media or may not be retained in the Court file include:

- Pre-sentence reports.
- Psychological and psychiatric assessments.
- Victim impact statements.
- Depositions.

- Personal information of Court users.
- Information subject to current suppression orders.
- Other confidential communications.

Turnaround Time

Where there is significant media interest in a particular case, efforts will be made to place the written or audio files of sentences or judgments on the Court's website and/or media portal shortly after the matter has concluded.

There will be times when certain documents or information may not be immediately available even though the Judge has granted the request.

Reasons for this may include:

- The time required to revise sentencing remarks or transcripts before they are released.
- The need to further discuss the media request with parties in Court at the next available hearing date.

Unrevised Materials

A Judge may approve the release of unrevised materials upon request.

Such materials may include:

- Sentencing remarks.
- Transcripts.
- Audio files placed on the media portal.

Unrevised materials are provided for the purpose of facilitating accurate reporting and cannot be attributed as being direct quotes of the judge.

Unrevised materials cannot be disseminated, broadcast or published without the express permission of the Judge. To obtain permission, a media request form must be submitted to the Media and Communications Team to facilitate.

Media Portal

The media portal temporarily contains unrevised audio recordings of recent decisions. The purpose of the portal is to facilitate fair and accurate reporting and to make Court decisions more accessible to media, particularly if they are unable to attend the hearing.

The release of decisions to the portal are subject to judicial discretion. Not all decisions are uploaded as they may be subject to suppression orders, contain confidential information or information that cannot be released under legislation.

The media portal can only be accessed by County Court accredited journalists. Accredited journalists can request for particular decisions to be uploaded in advance via email to the Media and Communications team.

Requests for Comment

In general, Judges do not provide comment to the media on cases over which they are presiding.

Requests for Interview

Requests for interview can be emailed to the Media and Communications Team to facilitate.

Author: Media & Communications Team
Approved: Media & Communications Committee
Date: 03/10/2018
Review date: 12 months from approved date

Media Request Form

Applicant and case details

Name of applicant: _____

Name of organisation: _____

Phone: _____

Email: _____

Case name: _____

Case ID: _____

Presiding Judge: _____

Requests for items

- Indictment
- Prosecution Summary
- Defence response
- Transcripts – include hearing dates: _____
- Tendered exhibits
 - Photo(s)
 - CCTV footage
 - Record of Interview
 - Other – please specify: _____
- Judge's photo for broadcast / publishing – please specify purpose: _____

Other applications

- Record hearing with own digital device to assist with accurate reporting and not for publishing
- Record hearing with own digital device for publishing
- Listen to audio recording of sentence / judgment
- Filming – specify purpose: _____
- Court artist – specify person(s) of interest: _____

Other request

Please specify: _____

Undertaking by applicant

Where material is provided or permission is granted by the Court, I undertake as follows:

1. I will use the copy of any transcript or other document provided or any recording made only for the purpose of making a fair and accurate representation of the proceeding.
2. I will not provide a copy of the material provided or recording made to any other person or organisation without first obtaining the written permission of the Court.
3. I will take reasonable steps to ensure no victims or witnesses are identified without their permission.
4. I will retain securely any material provided or recording made.
5. During the trial, I will not publish or cause to be published any evidence which has been given or referred to in the absence of the jury.
6. I will ensure broadcasts and/or published news reports comply with relevant legislation and suppression orders.

Applicant's signature: _____

Date: _____

For completion by the Court

- Application granted
- Application denied
- Application granted in part

Reasons / special conditions: _____

Judge's signature: _____

Date: _____