



SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY

PRACTICE DIRECTION NO 1 OF 2023

Protocol for media in the ACT Supreme Court

Introduction

1. This policy describes the media policies and practices of the Supreme Court of the Australian Capital Territory. The purpose of this policy is to support fair and accurate reporting, an essential element of an open justice system.
2. The way the proceedings are conducted in Court is a matter for the presiding judge. This policy in no way affects or displaces that principle and the Court may make additional or amending orders regarding the below procedures.
3. To the extent of any inconsistency with the document “Information for the Media” dated October 2022 as published on the ACT Supreme Court website the information in this practice direction prevails.
4. Media in this practice direction means:

A person who attends the Supreme Court to prepare a news report of proceedings and is authorised to attend for that purpose by the person’s employer, a media organisation.
5. Media organisation in this practice direction means:

A commercial enterprise that engages in business of broadcasting or publishing news or a public broadcasting service that engages in the dissemination of news through a public news medium.
6. This Practice Direction takes effect from 3 November 2023

Access to files, documents and transcripts

1. Please refer to rules 2903 and 4053 of the Court Procedures Rules 2006 (ACT) in relation to inspecting Supreme Court files.
2. Ordinarily, for proceedings heard in open court, the following documents will be provided to members of the media upon request to the chambers of the presiding judge during a hearing or, if at other times, the chambers of the Chief Justice:
 - a. Transcripts (where these are already held on the court file);

If the transcript requested is to be prepared solely for the media, the media will be directed to the standard process for ordering court transcripts (as identified on the website [here](#)).

- b. Exhibits;
- c. Written submissions (with the consent of parties); and
- d. Affidavits read in open court.

Remote viewing of proceedings

- 3. In proceedings other than jury trials, subject to the discretion of the presiding judge the Court may provide a Webex link to enable journalists to observe the proceedings online. This can be requested by contacting the chambers of the presiding judge.

Recording and broadcasting decisions of public interest

- 4. In matters of public interest, the media can request that the hand-down of the sentence decision be filmed by a single external camera.
- 5. Media organisations may apply to the Court to record and broadcast judgment remarks using the Court's application form which is to be submitted by email to SC.Media@courts.act.gov.au, copying in the chambers of the presiding judge. Requests must be submitted no later than 2 business days prior to the listing.
- 6. Leave is granted by the presiding judge at their discretion. If leave is granted, this leave is subject to the media complying with all conditions and procedures as stated in this policy, unless the Court otherwise orders.
- 7. A Sheriffs Officer or other official Court officer must be present during the set-up of recording equipment, recording of the judgment remarks, and pack-up of media equipment.
- 8. The personnel and equipment shall include:
 - a. no more than one television camera;
 - b. no more than one stills photographer;
 - c. no more than one microphone operator and no obtrusive microphones or wiring;
 - d. no moving equipment when the court is in session;
 - e. no distracting sounds or lights;
 - f. no disruption to proceedings;
 - g. no public expense to install, operate, or remove modifications to existing sound and lighting systems; and
 - h. no media organisation insignia or marking on recording equipment.
- 9. The footage recorded and broadcasted must be limited to the sentence remarks of the judge. The filming and audio recording and publication of any persons other than the judge is prohibited.
- 10. Recording will be conducted on a pooled basis. Footage and audio is to be shared with other news media organisations as soon as practical after the conclusion of the judgment remarks.

If the vision is to be broadcast live, all news media organisations present must have equal opportunity to access the live feed at the same time.

11. The approved media organisation must provide a copy of all raw footage taken of the judgment remarks to SC.Media@courts.act.gov.au as soon as practicable after the recording is made.
12. The footage and audio are only to be used for the purposes of reporting on the relevant decision. It is prohibited to this for other purposes.
13. It is the responsibility of the media to ensure that the publication of this footage complies with all relevant rules, regulations and non-publications orders in place. For further information about non-publication orders, see the website [here](#).

Use of recording devices

In relation to using recording devices generally in court, please refer to 2.3.2 of Information for the media.

General media enquiries

Members of the media can direct enquiries to SC.Media@courts.act.gov.au.

Inquiries will be dealt with by the Registrar and, where required, the chambers of the Chief Justice.

A handwritten signature in blue ink, appearing to read 'Jayne Reece', with a long horizontal flourish extending to the right.

Jayne Reece
Registrar

14 November 2023