

## MEDIA PROTOCOL FOR REPORTING ON PUBLIC HEARINGS

This media protocol applies to media coverage of public hearings held by Phase Two of the NZ Royal Commission of Inquiry into COVID-19 Lessons Learned Te Tira Ārai Urutā (the Inquiry).

This document provides procedures and guidelines for media attending and reporting on public hearings. It is supplemented by the *Media Coverage Application* in Schedule 1, which can be emailed to [media@covid19lessons.royalcommission.nz](mailto:media@covid19lessons.royalcommission.nz) at least three working days prior to the hearing start date. Please note the *Standard Conditions for Recording* in Schedule 2.

All media involvement and presence at the public hearings is at the discretion of the Royal Commission of Inquiry into Covid-19 Lessons Learned.

### 1. Media coverage of public hearings

- (a) Public hearings are held in front of the Inquiry's Commissioners and are presided over by the Chair. Witnesses are called to provide information and evidence to Commissioners, led by Counsel Assisting the Inquiry and/or other legal parties. Hearings are one of several ways Commissioners can gather information and evidence for the purposes of fulfilling the [Terms of Reference](#).
- (b) The Inquiry's public hearings are livestreamed on its website, according to the pre-published hearing witness schedule. The livestream allows public access to the hearings, given the public cannot be present in the hearing room due to limitations.
- (c) The Commissioners welcome media coverage of public hearings to provide the public with further access to proceedings. Media can apply to attend and report from the hearings in-person according to this protocol and the application form.
- (d) A media desk is available for use; however, the Inquiry's Secretariat has discretion to limit media attendance due to limited space. Media can report from and record/broadcast the livestream all through the hearing. The Chair has discretion over media coverage to ensure fair hearings and to protect the integrity of the process.
- (e) Media wanting to record the hearing via video, photo and/or audio must signal their intention in the application form. The Chair, alongside the Secretariat, will make a ruling on applications. The Secretariat will manage media attendance accordingly, including the pooling of resources if required (ie camera operator).

### 2. Media

- (a) In alignment with Ministry of Justice guidelines, media is determined to be a person who is in a hearing for the purpose of reporting on the proceedings and who is either subject to or employed by an organisation that is subject to:
  - a. A code of ethics
  - b. The complaints procedure of the Broadcasting Standards Authority or the Press Council
  - c. Any other person reporting on the proceedings with the permission of the court (i.e freelance journalists)
- (b) All film, photographs and audio recordings taken of hearings that are used or published must provide or assist in providing an accurate, fair and balanced report of the hearing, and must not be used or published out of context.

- (c) Media outlets must do their own due diligence on information presented as evidence at the hearing, as per their usual reporting and journalistic guidelines.

### **3. Respect for witnesses**

- (a) Commissioners expect the media to respect the privacy of witnesses giving evidence at hearings, before and after they give evidence. This includes respecting decisions on whether witnesses choose to do media interviews after they give evidence. It is strongly encouraged that the media approach the Secretariat to facilitate media interviews with witnesses, so the Secretariat or a suitable party can take a pastoral care role with witnesses.

### **4. Suppressed evidence**

- (a) The inquiry may make orders preventing media from recording or publishing specific evidence, in accordance with s 15 of the Inquiries Act. This may include, but is not limited to, identifying or personal details a witness accidentally shares about themselves or someone else.
- (b) The Inquiry team will alert media in the hearing room to any such orders. Media reporting from the livestream can check in regularly with the Secretariat, before they publish their story.

### **5. Method of communication**

- (a) Any written application or response under this protocol may be emailed to:  
[media@covid19lessons.royalcommission.nz](mailto:media@covid19lessons.royalcommission.nz)

## **SCHEDULE 1: MEDIA COVERAGE APPLICATION**

To: Head of Communications and Engagement

1. We request permission to (select all that apply):

(a) attend in person

(b) film

(c) take still photographs

(d) audio record

the following hearing of the Inquiry: \_\_\_\_\_

2. Name of media outlet: \_\_\_\_\_

4. By submitting this application, I acknowledge I have read and agree to follow the Inquiry's Media Protocol. I have acknowledged I have read and agree to the Standard Conditions.

### **Applicant information:**

Applicant's name and organisation: \_\_\_\_\_

Email address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Solicitor's name: \_\_\_\_\_

Solicitor's e-mail address and phone number: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Inquiry use:** Date application received \_\_\_\_\_

## **SCHEDULE 2: STANDARD CONDITIONS FOR RECORDING**

1. Video and still cameras may be situated in the hearing room at the discretion of the Chair. If a pool camera situation is required, media outlets must determine this between themselves. The Inquiry will rule, in the event there is a dispute between those authorised to film. The camera/s must be situated in a position approved by the Inquiry.
2. Audio recorders may be situated in the hearing room at the discretion of the Chair. Inquiry staff can help obtain an audio feed of the proceedings.
3. While the Inquiry is in closed session, no filming or recording of audio must take place.
4. Commissioners' and Counsel's papers must not be recorded.
5. Exhibits must not be recorded without the permission of the Inquiry.
6. No recording may take place in the hearing room when the Commissioners are not present, except with prior leave of the Inquiry.
7. Recordings taken must not be broadcast until at least 10 minutes have elapsed.
8. The media applicant must maintain a copy of all broadcasts using film and audio taken during a hearing and must supply a copy to the Inquiry if requested.
9. Film and audio taken must not be used, while the Inquiry continues, other than in the programme/s nominated in the application form.
10. Film and audio taken must not be used in any promotional broadcasts or as trailers.