

## Practice Note 1 of 2013

Issued 19<sup>th</sup> July 2013

This Practice Note supersedes Practice Note 2 of 2008.

### Recording of Court Proceedings Practice Note

#### Purpose

This Practice Note sets out the arrangement for the recording and dissemination of court proceedings by media. The purpose of the Practice Note is to ensure fair and accurate report of court proceedings.

#### Definitions

**Decision in a final hearing** means the financial decision or judgment in civil proceedings and the sentencing of the convicted person or persons in criminal proceedings.

**Media representative** means a person engaged in preparing a report of court proceedings for a recognised media organisation, and who can provide appropriate professional identification.

**Publication** means publishing, broadcasting, transmitting, printing or making available on the internet or by other means.

**Recording** means the capturing of audio and/or audio visual content onto any medium for publication to assist in the preparation of accurate reports of the court proceedings.

#### Application

This Practice Note applies to media representatives who work for recognised media organisations and who can provide appropriate professional identification.

#### Approval Process

Upon application through the Registrar of the court where the proceedings are being held (see *application by media representative to record court proceedings*) a presiding magistrate may permit a media representative to take a recording of the court proceedings for the purpose of preparing a fair and accurate report of those proceedings. Approval will only be given for the decision in a final hearing.

#### Proceedings not to be disrupted

It is a condition of approval that the recording must not cause any disruption to the proceedings.

## **Conversations not to be recorded**

Recordings must not be made of private conversations before or after court proceedings or during breaks.

## **Conditions for sound and/or visual recordings**

The standard conditions for sound and/or visual recordings are as follows:

- Only one piece of recording equipment is permitted in the courtroom and it will remain fixed in a pre-determined position
- Only sound and images of the presiding magistrate may be recorded\*; and
- Recording will be conducted on a 'pooled' basis. Vision and sound is to be shared with other media outlets as soon as practical after the conclusion of the proceedings. If the vision and sound is to be broadcast live, all media outlets present must have equal opportunity to access the live feed at the same time.

\*Media representatives wishing to record sound or images of any other person in the courtroom must first seek consent of that party and seek the presiding magistrates approval as a part of the application and approval form.

## **Destruction of recordings**

Unless otherwise approved or directed by the court, recordings must be deleted within 24 hours of being made. Until recordings are deleted, they must be kept in the possession of the approved media representative at all times.

## **Official record of proceedings**

The transcript produced by the Reporting Services Branch is, and will remain the authoritative record of proceedings.

Graeme Henson  
Chief Magistrate  
16 July 2013