



Royal Commission on the Pike River Coal Mine Tragedy
Te Komihana a te Karauna mō te Parekura Ana Waro o te Awa o Pike

PIKE RIVER ROYAL COMMISSION MEDIA GUIDELINES

1. Application of guidelines

- 1.1. These guidelines apply to all hearings before the Royal Commission on the Pike River Coal Mine Tragedy.

2. Purpose

- 2.1. These guidelines are intended to ensure that applications for media coverage are dealt with expeditiously and fairly.

3. Interpretation

- 3.1. For the purposes of these guidelines, the Commission means the Royal Commission on the Pike River Coal Mine Tragedy.

- 3.2. The standard conditions means:

- a) in the case of an application to film for television, the conditions set out in Schedule 2;
- b) in the case of an application to take still photographs, the conditions set out in Schedule 3;
- c) in the case of an application to record for the purpose of radio, the conditions set out in Schedule 4.

4. Discretion of the Commission

- 4.1. All matters relating to media coverage of Commission hearings are at the discretion of the Commission.

5. Making application

- 5.1. Any person who wishes to cover any part of a hearing must apply to the Commission using the prescribed form in Schedule 1.
- 5.2. Any such application should be lodged with the Executive Director of the Commission at least seven working days before the hearing is due to start.
- 5.3. Any application lodged inside seven working days before the hearing must contain an explanation for the delay and the reasons why it should be granted despite the delay.

6. Decisions on the papers

- 6.1. The Commission will deal with all decisions on the papers.

7. Decisions

7.1. The Commission may:

- a) grant authority to film the hearing or take still photographs at the hearing or record the hearing, as the case may be, on the standard or other conditions; or
- b) grant such authority in relation to any part of a hearing; or
- c) decline the application.

8. Publication restrictions

8.1. At any time prior to giving evidence a witness may apply for orders restricting media coverage of his or her evidence.

8.2. In considering the application, the Commission may have regard to:

- a) whether media coverage is likely to affect adversely the quality of the evidence to be given by the witness;
- b) whether the presence of a television camera or a photographer or radio crew is likely to lead to the witness not appearing to give evidence;
- c) whether being filmed or photographed or recorded may cause undue stress or anxiety to the witness;
- d) whether being filmed or photographed or recorded may lead to intimidation or harassment of the witness;
- e) whether the witness's privacy interests outweigh the public interest in broadcasting that witness's evidence, given the likely significance of the evidence;
- f) any other relevant matters.

8.3. The Commission may order that any person covering the hearing:

- a) must not film the witness while he or she is in the hearing room or giving evidence;
- b) must not film the witness anywhere between the time of the ruling and the end of the hearing;
- c) must not photograph the witness while he or she is in the hearing room or giving evidence;
- d) must not photograph the witness anywhere between the time of the ruling and the end of the hearing;
- e) must not record the witness while he or she is giving evidence;
- f) must not record the witness anywhere between the time of the ruling and the end of the hearing;
- g) may film the witness but must ensure that the witness, if broadcast giving evidence, is not recognisable;
- h) must comply with any other conditions imposed by the Commission.

8.4. Authority to cover the hearing is subject to any such orders.

8.5. Where the Commission makes a ruling in terms of subclause 8.3(a) or (b), the television camera must be either removed from the hearing room while the witness is giving evidence or turned away from the witness so that it is apparent to the witness that he or she is not being filmed.

9. Name suppression and statutory prohibitions

9.1. An authority granted to cover a hearing is subject to any order prohibiting the

publication of names or particulars of evidence.

10. Revocation of authority to cover a hearing

10.1. The Commission may at any time revoke authority to cover a hearing if:

- a) the media applicant or someone acting on behalf of the media applicant breaches these guidelines or any condition of the grant of authority to cover the hearing; or
- b) the Commission determines that the rights of any participant in the Inquiry may or will be prejudiced if coverage continues; or
- c) coverage of the hearings is disrupting the Inquiry.

11. Minimum conditions

11.1. The conditions on which authority to cover a hearing are granted are minimum conditions.

11.2. The media applicant and those acting on behalf of the media applicant must at all times ensure that they do not commit contempt. In particular, they must ensure that they do not interfere with the due administration of justice;

12. Method of communication

12.1. Any written application or response under these guidelines may be delivered, posted, faxed or emailed to pikeriver@royalcommission.govt.nz

Schedule 1

APPLICATION FOR MEDIA COVERAGE

To the Executive Director, Royal Commission on the Pike River Coal Mine Tragedy,

1. We request permission to:
 - (a) film for television and/or a news website
 - (b) take still photographs for newspaper and/or news website publication during
 - (c) record for the purpose of radio and/or a news website

the following hearing(s) of the Commission:

2. Expected dates of coverage _____
3. Name of programme or programmes or news website in which the film or recording may be used _____
(Newspapers in which still photographs may be published need not be identified.)
4. The following conditions of coverage should apply:
 - (a) the standard conditions
 - (b) the standard conditions as modified or expanded or both [Give details on separate sheet]
5. *[To be completed only if this application has been lodged out of time.]*
 - (a) This application was not filed in accordance with guideline 5 because:
 - (b) This application, although filed out of time, should nonetheless be granted because:

Applicant information:

Applicant's name: _____

Solicitors: _____

Name of responsible person: _____

Business address: _____

Postal address: _____

e-mail address: _____

Telephone number: (_____) _____

Fax number: (_____) _____

Signed: _____

Date: _____

Commission use

Date application received: _____

Schedule 2

STANDARD CONDITIONS FOR TELEVISION COVERAGE

1. Only one camera may be situated in the hearing room, regardless of how many people are given authority to film for television. In the event there is a dispute between those authorised to film for television as to whose camera will be situated in the court room, the Commission will rule.
2. The television camera must be situated in a position approved by the Commission.
3. Any person wishing to instruct the camera operator during a hearing session must sit next to the camera operator and must give any instructions as unobtrusively as possible and in such a manner as not to interfere in any way with the running of the Inquiry.
4. While the Commission is sitting in chambers or in closed session, no filming must take place.
5. Members of the public attending the hearing must not be filmed in the hearing room.
6. Counsel's papers must not be filmed.
7. Exhibits must not be filmed without leave of the Commission.
8. No filming may take place in court when the Commissioners are not present, except with prior leave of the Commission.
9. Film taken must not be broadcast on television or a news website until at least 10 minutes have elapsed.
10. The media applicant must maintain a copy of all broadcasts using film taken during a hearing and must supply a copy to the Commission if requested.
11. Film taken must not be used, while the Inquiry continues, other than in the programme or news website nominated in the application form.
12. Film taken must not be used in any promotional broadcasts or as trailers.

Schedule 3

STANDARD CONDITIONS FOR STILL PHOTOGRAPHS

1. The photographer must be situated in a position approved by the Commission.
2. Any person wishing to instruct the photographer during a hearing must sit next to the photographer and must give any instructions as unobtrusively as possible and in such a manner as not to interfere in any way with the running of the Inquiry.
3. While the Commission is sitting in chambers or in closed session, photographs must not be taken.
4. Members of the public attending the hearing must not be photographed in the hearing room.
5. Counsel's papers must not be photographed.
6. Exhibits must not be photographed without leave of the Commission.
7. No photographs may be taken in the hearing room when the Commissioners are not present, except with prior leave of the Commission.
8. Photographs taken must not be used, while the Inquiry continues, other than in the print media or news website published by the media applicant.

Schedule 4

STANDARD CONDITIONS FOR RADIO COVERAGE

1. While the Commission is sitting in chambers or in closed session, no recording must take place.
2. No recording may take place when the Commissioners are not present, except with prior leave of the Commission.
4. Recording taken must not be broadcast on radio until at least ten minutes have elapsed.
5. The media applicant must maintain a copy of all broadcasts using recording taken during a hearing and must supply to the Commission a tape of any broadcast or a transcript of any broadcast or both, if requested.
6. Recording taken must not be used, while the Inquiry continues, other than in the programme or news website nominated in the application form.