

Media Guidelines for the Operation Mantis public inquiry June 2024

Media sign-in sheet

All media attending a public inquiry must sign in at reception on level 7, each day they attend the inquiry, and should show their media pass/identification on request.

Security screening

All visitors to the Commission, including members of the media, are required to undergo security scanning each time they attend the premises and intend to enter the hearing room, the media room or other public areas of the Commission.

Media room

A briefing outlining the Commission's media guidelines and other related matters will be provided in the media room prior to the start of the public inquiry. The media room is located opposite the hearing room, to the right of the security entrance. This room is for the use of working members of the **media only** (that is, journalists, photographers and news crews). Provisions are made for the media to view and listen to the public inquiry from the media room on closed circuit television. A record is kept in the media room of non-publication orders and other orders relevant to the inquiry. Hearing transcripts and exhibits can be accessed from the ICAC website at www.icac.nsw.gov.au once they are available.

Other ways to follow the proceedings

The Commission will live stream the proceedings via its website, www.icac.nsw.gov.au. The Commission will also upload exhibits (provided they are not subject to non-publication orders), transcripts and witness lists to the website. Updates will be provided throughout the course of the inquiry via the ICAC X account (@nswicac).

The Commission usually sits from 10:00 am to 4:00 pm each day, may hold a morning tea break, and generally takes a one-hour lunch break from 1:00 pm to 2:00 pm. Media representatives must vacate the premises by 5.00 pm, unless the proceedings extend beyond that time.

Transcripts

As noted above, the ICAC posts transcripts of its public inquiries on its website (www.icac.nsw.gov.au) during the course of the inquiry. While the Commission will endeavour to make transcripts available as soon as practicable, factors including checking procedures to ensure compliance with any non-publication orders made under the ICAC Act mean that it cannot advise specific times for when transcripts will be published.

The Commission recommends that journalists reporting on the public inquiry avail themselves of the live stream during the course of the proceedings, which can be recorded for media reporting purposes. Transcripts when available can be downloaded from the website at no charge.

Witness lists

At the beginning of each week, a list of witnesses likely to appear will be posted on the ICAC website. Please note that this list may be subject to change and a list will be posted each day on the whiteboard in the media room.

Exhibits

Exhibits will be made available from the ICAC website. If the majority of the brief is tendered and uploaded to the website at the commencement of the public inquiry, references to particular exhibits will be made during the course of the proceedings.

In the event that a new exhibit is tendered, it also will be made available on the website as soon as practicable (provided it is not the subject of non-publication orders. In that case, it may be redacted or may not be made available at all.)

Subject to any contrary direction of the Commission, for the purpose of and to the extent necessary for the public reporting of proceedings of the Commission, any authorised representative of a newspaper, magazine, radio station, online publication or television channel may inspect and take extracts from any book, document, or writing tendered in evidence after it has been notified as available for inspection by Counsel Assisting the Commission subject to the condition that:

1. It is not be used or permitted to be used for any purpose other than the public reporting of the proceedings of the Commission; and
2. Any part of the contents thereof indicated by Counsel Assisting the Commission as unsuitable for publication must not be published without the leave of the Commission. Such leave can be sought, for example, if there is a restriction which is believed to obstruct proper reporting of any matters of significance. Any application for leave should be made in writing, in the first instance, to the Solicitor to the Commission.

Unless other orders are put in place, exhibits made publicly available on the ICAC website will remain there for the duration of the public inquiry.

Non-publication orders

Non-publication orders can be applied, lifted and then reapplied throughout an inquiry. Breaches of non-publication orders may constitute a criminal offence. The ICAC assists by advising the currency of non-publication orders daily, however, it is the responsibility of media outlets to ensure all non-publication orders are enforced. If unsure, journalists should contact the ICAC Manager Communications and Media to confirm what non-publication orders are in effect.

Journalists should also be mindful of non-publication orders when posting comments on social media platforms such as X.

Interviews

Interviews with witnesses, counsel and the public will not be facilitated by the ICAC and are not permitted within ICAC premises, including lift areas.

Mobile telephones and other communications devices

When attending the hearing room during proceedings, it is a requirement that all mobile telephones, tablets and other devices be switched to silent.

Health and safety

While there are no restrictions in place relating to Covid-19 or other illnesses, for the health and safety of everyone, the Commission requests that anyone exhibiting symptoms or feeling unwell refrains from attending the premises. Media are reminded that the proceedings will be publicly live streamed and therefore able to be viewed via the website from any location.

For further information please contact:

Nicole Thomas

ICAC Manager Communications and Media, nthomas@icac.nsw.gov.au; 0417 467 801.

Guidelines for recording, filming and photography at ICAC public inquiries

Permission is given by the ICAC to film, record and photograph the following:

- **The opening address by Counsel Assisting the Commission** on the first day of the public inquiry. Television news crews can arrange for up to two (2) pool cameras to film the opening address on the condition that the material is made available to any other crew present. Wide-angled shots of the public gallery are permitted and microphones can be placed in front of Counsel Assisting the Commission. News photographers are also permitted to take photographs of the presiding Commissioner and Counsel Assisting during the opening, but no close-ups of people in the gallery. Media are welcome to record and broadcast the opening address using the splitter in the media room, or via the audio access in the hearing room. Please note that this address is a formal presentation by Counsel Assisting the Commission. Media personnel filming, recording and photographing Counsel Assisting must do so with minimal disruption and must not obstruct the view between Counsel Assisting and the presiding Commissioner.
- **Stand-ups** in the media room and hearing room, with the prior permission of the Manager Communications and Media, and without the public in attendance. Stand-ups may also be filmed using the ICAC signage in the reception area.

Copies of the opening address will be distributed by the Manager Communications and Media to all media present at the conclusion of the opening. The opening address will also be posted on the Commission's website after it has been delivered. Following the opening address, media are permitted to follow proceedings via the closed-circuit television in the media room, however, this material must not be used in any broadcast as it is a direct feed from the hearing room and may contain material that is subject to a non-publication order. Media may, however, publish material from the Commission's public live stream (see further details below).

Court artists are welcome to attend the public inquiry, and may sketch the Commissioner and legal counsel for publication. Court artists are not permitted to sketch and publish images of witnesses in the box.

The public live stream

Media representatives may publish material from the Commission's **public** live stream, which is available via the ICAC website, on the condition that it is not used, or permitted to be used, for any purpose other than public reporting of the proceedings of the Commission.

Failure to abide by the terms and conditions may result in a live stream being discontinued.

The live stream may be muted or suspended at any time, including:

- (a) when the Commission has exercised its power to exclude the public from access to the hearing
- (b) where a relevant non-publication order is in place
- (c) for the welfare of witnesses or other people.

The following filming, recording and photography is not permitted either by the ICAC or, in the case of the third point below, by building management:

- Of the **public gallery and counsel within the ICAC hearing room**
 - except for the opening address
- In the **ICAC reception and lift foyer on Level 7**
 - except for approved stand-ups
- In any of the **255 Elizabeth Street lifts or the ground floor lobby** of the building
 - media waiting for witnesses to arrive or leave the building via the ground floor must remain outside the ground floor lobby and paved areas on Elizabeth and Castlereagh Streets.

To maintain the integrity of ICAC's public inquiries, the Commission will ask media to cease any unauthorised filming, recording or photography. Media who do not comply with this request may be excluded from an inquiry. Any breach will be reported to the offending media outlet and further action may be taken if the Commission deems it necessary.

For further information please contact:

Nicole Thomas

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