



Chief District Court Judge's Chambers
Te Whare o Ngā Kaihautū Waka o Te Kōti-ā-rohe o Aotearoa

FINAL November 2024

INTRODUCTION

This resource is a plain English quick reference guide to clarify some of the most recent issues that have caused confusion between the District Court and media representatives. The contents are drawn from correspondence received by the Chief District Court Judge's Chambers, and the existing media guidelines and protocols. While not all the items are the sole responsibility of a judge the resource aims to help build a shared understanding and positive working relationship between the District Court judiciary, court staff and the media.

THE SUMMARY OF FACTS (SoF)

- The SoF is a document produced by the prosecution when a defendant pleads guilty at first or subsequent appearance in the criminal jurisdiction of the District Court.
- It lays out the circumstances of the offence and includes which laws might have been broken, who might have been involved, and where, what and when might have happened.
- SoF are often amended and not accepted until a guilty plea is entered. Even then a disputed facts hearing may be required to determine the final version.
- Because the SoF is not part of [the formal court record](#) media do not have an automatic right of access. If media want to access the SoF they need a judge's permission.
- If they are present in court media can ask the judge to be given a copy of the SoF. Ideally judges or the registry will note the record that permission has been granted for the release of the SoF.
- Judges should consider having a brief conversation on how the media will be given the SoF to ensure they receive it in good time. This helps accurate reporting.
- The prosecutor is likely to have a copy of the SoF on their file so can be asked to provide it to the media directly or the court registrar may need to arrange for a copy of the SoF to be made and then handed to media.
- There may be cases where judges allow media access to the SoF but restrict the reporting of some or all of its contents.
- If media are not present in court [the usual application process applies](#).



TE AO MĀRAMA

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PRESS SHEETS

- Press sheets (which are in effect a copy of the charging document as at first appearance) are lodged with the court by the prosecution for a first appearance in the criminal jurisdiction of a District Court.
- A press sheet details the name, address, date of birth and occupation of the defendant and the charges laid against them.
- They are provided to media mainly for planning purposes and are the property of the court.
- They are distributed to the press bench in court or are made available to media on request (via in person or email).
- Information on a press sheet may not be accurate after first appearance (charges may be amended or withdrawn) and importantly name and or detail suppression may have been granted.
- Press sheets are kept by the registry for 30 days and made available on request. After this time an application must be made to view them.
- Accredited media may take copies of press sheets on their phones as the access rules define "access" as "to search, inspect, or copy".

REMOTE HEARINGS

- A judge decides if an event will be held remotely by an Audio-Visual Link (AVL) using Virtual Meeting Room (VMR) or other technology.
- Media attending a remote hearing have the same rights as if they were in court and can ask the court registry for a link.
- Media do not have to apply to observe the hearing but if they wish to record or film (by screen capturing or audio) they must use [the usual application process](#).
- Not every court/court room has the same technology and/or capacity so sometimes there may be a limit on how many parties can join a hearing. This can be expanded but requires time for the registry to liaise with the Ministry and ask the judge's permission, so media need to request access as soon as they are able.
- When media do join a remote hearing, they should introduce themselves to the judge at the start of proceedings if possible or alternatively connect early and introduce themselves to the court registrar and ask them to advise the judge of their presence. Media should then make sure their camera and microphone are turned off, unless they wish to be heard or have a matter clarified.

SUPPRESSION ORDERS

- It is helpful for media to have any suppression orders clearly and explicitly stated in court (and reflected in the record). Judges should try and avoid phrases like “that probably shouldn’t be reported” and be specific about exactly what details are suppressed.
- Media in court have a right to be heard on suppression matters.

IN-COURT MEDIA COVERAGE APPLICATIONS

- In-court media applications are necessary if media want a decision on whether they can film, record sound or take photos in court. They are not required if accredited media simply want to attend and observe and shouldn’t be used as a guide to gauge how many media might want to attend an event and therefore require seating on the press bench.
- Applications should be sent three working days prior but in this day and age some leeway should be given for events of high public interest. Judges should try and deal with applications prior to the start or as a matter of priority. This allows media time to plan how they will cover the event (it may be necessary for them to make pool arrangements) and whether to allocate resources.
- This can help avoid any disruption caused by the setting up and testing of media equipment.
- It is also helpful for media to know whether they have permission to take photographs early on so the court can run smoothly and there is no last-minute rush to photograph a person of interest before they leave court.

KEY CONTACTS

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KEY SOURCES

- [Criminal Procedure Rules 2012 \(SR 2012/415\) \(as at 01 April 2022\) 5A.1 Summary of facts – New Zealand Legislation](#)
- [Remote courts information for participants | New Zealand Ministry of Justice](#)
- [In-Court Media Coverage Guidelines 2016](#) – Courts of NZ website
- [Ministry of Justice Media guide](#)
- [District Court \(Access to Court Documents\) Rules](#)