Government of **Western Australia**
Department of **Communities**

Regulation and Quality Media Statement Guidelines

Regulation and Quality

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1 Background

The Department of Communities (Communities) brings together vital services and functions that enable individual, family and community wellbeing in Western Australia (WA).

The Regulation and Quality Directorate (R&Q) within Communities delivers, among other things, regulatory services in the interests of protecting the community and vulnerable people.

An important regulatory role of R&Q is the enforcement of compliance with the laws that it administers. One method used by R&Q to enforce compliance on people and organisations who breach these laws is to commence a prosecution or disciplinary action through Courts or the State Administrative Tribunal.

When there is an outcome of the prosecution or disciplinary action R&Q will issue a media statement informing the public of that action and outcome.

This is a key regulatory strategy in achieving future compliance as it sends a clear message of R&Q's enforcement of the laws it administers on behalf of government, to individuals, industry and community sectors involved in delivering services to the community and vulnerable people. The strategy also instils public confidence in government regulation of people and organisations engaged in the delivery of services to vulnerable people in WA.

2 Purpose

The purpose of the Regulation and Quality Media Statement Guidelines (the Guidelines) is to establish and communicate Communities' approach in relation to R&Q communicating Court prosecution and State Administrative Tribunal disciplinary action outcomes.

The Guidelines aim to ensure timely and accurate media reporting of disciplinary or prosecution outcomes, instil public confidence, enhance the potential for positive media exposure in relation to R&Q's compliance activities and ensure appropriate responses to potentially sensitive issues.

3 Scope

The Guidelines cover all business areas in R&Q and relate only to the public information (by way of Court or Tribunal records) on prosecution and disciplinary action outcomes.

As the Guidelines aim to capture R&Q regulatory outcomes and activities only, no other business area of Communities is captured by the guidelines nor are matters of broader R&Q business.

The Guidelines provide general information about R&Q's approach to communicating outcomes of prosecution and disciplinary actions to the media. The Guidelines are:

- not legally binding on R&Q, any other area within Communities or other organisations, such as other government agencies;
- general in nature; and
- not intended as a substitute for legal advice, legal processes or the professional judgment of officers of Communities.

4 Guidelines

4.1 What is a Media Statement?

A media statement facilitates the public release of information through the means of either radio, television, newspapers, social media such as Facebook and X and other online and electronic formats and outlets.

A R&Q media statement will:

- identify a spokesperson for Communities
- identify the legal entity (and trading name if relevant) that is subject to the court or disciplinary proceeding if in the publics best interest to do so
- include a brief summary of the allegation/offence
- advise of penalties that were imposed, including any costs awarded and any other outcome
- quote any relevant comments made by the court, tribunal or statutory body delivering the outcome and
- quote statements from the spokesperson relating to the importance of regulating the industry or sector involved or any other comment that relates to improving regulatory compliance in or by the community/sector.

Communities will not seek a defendant/respondent's or any other person's consent, permission or input regarding the content of any R&Q media statement. A draft release will not be provided for comment.

4.2 When will a Media Statement be Issued?

A media statement will be issued as a standard practice for all R&Q related disciplinary or court actions unless there is a legal restriction or a judicial order made not to issue such a statement. Under the legislation R&Q administers, the Chief Executive Officer (Director General) of Communities delegates approved officers to administer functions, including publication of enforcement actions.

4.3 How will a Media Statement be Issued?

Following approval to issue the media statement by the Director General or delegated officer, Communities' Corporate Communications will release the statement to relevant media outlets via email or posting on relevant social media platform/s.

The media statement will be issued in a timely manner to ensure currency of the issue when it is released. Where possible the media statement will be issued on the day the court or disciplinary proceedings outcome is determined. When the outcome is not determined until late in the day, the media statement will be issued the following morning.

4.4 Where are Media Statements recorded?

Recent media statements appear on Communities' website. This site contains a link to all Communities media statements on the WA Government Announcements site, where they are maintained for a period of five years, after which they may be removed.

4.5 What Happens if there are Mistakes in Reporting?

Mistakes by both journalists and Communities officers may occur. These are likely the result of inadvertence, a misunderstanding or simply working under the pressure of very tight timeframes.

When an error is made by Communities, action will be taken to correct the error, including alerting those parties provided with the original version. The statement will be removed immediately from the Communities website and replaced with a corrected statement as soon as possible.

Should a journalist/media outlet mistake be identified by Communities, Communities will make them aware of the error so they can make attempts to correct it, as appropriate. With some exceptions, significant errors are generally corrected immediately. Inconsequential errors may not be corrected.

Where an error has been made by a journalist/media outlet, the defendant/respondent may wish to directly liaise with that publishing entity. Generally, a letter to the editor is sufficient for a newspaper article, or a phone call to the newsroom of a radio or television network, to request the report be corrected.

5 Complaints and Feedback

Complaints and feedback related to R&Q media statements can be made through Communities website:

Department of Communities - Complaints and feedback

Information submitted will generally be directed to Corporate Communications who will liaise with relevant officers and/or the media outlet to pursue the best outcome.