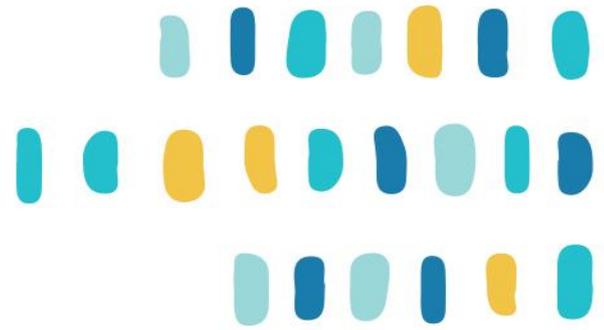




Government of **Western Australia**  
Department of **Communities**



# Regulation and Quality Media Statement Policy

June 2021

# 1. Explanatory notes

## 1.1 Organisational context

The Department of Communities (Department) is the State Government agency that provides leadership in the community to create pathways that enable individual, family and community wellbeing.

The Regulation and Quality (R&Q) business unit delivers, among other things, regulatory services in the interests of protecting the community and vulnerable people in Western Australia.

## 1.2 Commencement of Policy

This Policy is effective as of 14 June 2021.

## 1.3 Purpose of the Policy

The purpose of this document is to establish and communicate the Department's approach in relation to R&Q communicating Court prosecution and State Administrative Tribunal disciplinary action outcomes.

The Policy aims to ensure timely and accurate media reporting of disciplinary or prosecution outcomes, instil public confidence, enhance the potential of R&Q positive media exposure on its compliance activities and ensure appropriate responses to potentially sensitive issues.

## 1.4 Scope of the Policy

The scope of this Policy covers all business areas in R&Q and relates only to the public information on prosecution and disciplinary action outcomes.

As this policy aims to capture R&Q Regulatory outcomes and activities only, no other business area of the Department is captured by this policy nor are matters of broader R&Q policy.

## 1.5 Legal Status of the Policy

This Policy provides general information about R&Q's approach to communicating outcomes of prosecution and disciplinary actions to the media. This Policy:

- is not legally binding on R&Q, any other division within the Department or other organisations, such as other government agencies;
- is general in nature; and

- is not intended as a substitute for legal advice, legal processes or the professional judgment of officers of the Department.

## **2. What is a media statement?**

A media statement is a public release of information, to be communicated through the means of either radio, television, newspapers, social media such as Facebook and Twitter and other online and electronic formats and outlets.

## **3. What does a media statement under this policy contain?**

A media statement must:

- identify the authorised person as a spokesperson for the Department;
- identify the legal entity (and trading name if relevant) that is subject to the court or disciplinary proceeding;
- include a brief summary of the allegation/offence behaviour;
- advise 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 authorised person 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.

## **4. When should a R&Q media statement be issued?**

An important regulatory role of R&Q is the enforcement of compliance with the laws that it administers to protect the community and vulnerable people in Western Australia. 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.

Where R&Q achieve a positive outcome as a result of a prosecution or disciplinary action it 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 administration and enforcement of the laws it administers on behalf of government, to 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 Western Australia.

This policy recognises that such outcomes are otherwise already a public record by way of Court or Tribunal records.

A media statement will be issued as a standard practice on ALL R&Q disciplinary or court actions, unless there is a legal restriction or a judicial order is made, not to issue such a statement.

## **5. How will a media statement be issued?**

Following approval to issue the media statement by the Director General or authorised officer, Corporate Communications will manage the publishing of the statement with the relevant media outlets or posting on relevant social media platform.

The draft media statement will be issued in a timely manner so as to ensure currency of the issue when it is released. Where possible the media statement should 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 should be issued the following morning.

## **6. Recording of media statement on Department's website**

Media statements will be recorded on the Department's website (and/or the wa.gov.au site) and maintained for a period of five years after which, and subject to the public interest, it may be removed.

## **7. Mistakes in reporting**

Mistakes in reporting by both journalists and Department officers may occur. Should a mistake in reporting be made, it is essential the reporter is made aware of this error so they can make attempts to correct it.

With some exceptions, significant errors are generally corrected immediately by media outlets. Minor errors may not be corrected.

Generally, a letter to the editor is sufficient in regard to a newspaper, or a phone call to the newsroom of a radio or television network will result in the report being corrected.

If a complaint is made it should be directed to Corporate Communications who will liaise with relevant officers and the media outlet to pursue the best outcome.

## **8. Review of this Policy**

This policy will be reviewed regularly to ensure that it remains relevant and appropriate.