

# Justice, the media, and the Christchurch mosque terrorist

Journalism scholars Gavin Ellis and Denis Muller present part two of a case study in institutional co-operation

## PRE-TRIAL PLANNING

Neither the judiciary nor the media were in any doubt that the case against the man alleged to have committed the Christchurch mosque attacks presented challenges. They began with Tarrant's initial appearance in the Christchurch District Court the day after the shootings in which 51 people were killed and a further 40 people injured. Judge Kellar, who presided over that appearance, issued a range of orders relating to media coverage.

He cleared the public from the court (as a result of police concerns over public safety) although media could remain "as surrogates of the public" (*Police v Tarrant* [2019] DCR 753 at [2]). Eleven media organisations had sought permission to film or take still photographs in court. The Judge approved four media organisations to film, photograph and sound-record proceedings on a pool basis that required them to provide material to other media on request. He also ordered that the defendant's face be pixilated in any visual recordings despite the fact that worldwide coverage of the attacks had both pictured and named him.

In the minute issued after the hearing, Kellar J said (*Police v Tarrant*, above, at [7]):

I am aware of the extensive media coverage that has already occurred including publication of the defendant's name and photographs of him. My concern and responsibility, however, is to ensure the integrity of the trial process. At this early stage and in order to protect the fair trial rights of the defendant I have taken a precautionary approach and am requiring media to pixilate the face of the defendant.

His minute ended with a reminder to the media (at [11]):

Finally, I would like to remind all news media that while they are the eyes and ears of the public, what they publish must provide or assist in providing accurate, fair and balanced reporting of the hearing. Any report must not be used or published out of context. It is also vital that no news media publish any material that could imperil the prospect of a trial that is fair to all who are involved in it.

A copy of the In-Court Media Coverage Guidelines was provided to each media representative present in court. The process is set out on the Ngā Kōti o Aotearoa Courts of New Zealand website: <[www.courtsofnz.govt.nz/going-to-court/media/reporting-the-courts/](http://www.courtsofnz.govt.nz/going-to-court/media/reporting-the-courts/)>.

Judge Kellar's remarks had been made in the expectation of a trial and he acknowledged that decisions about media may be reviewed when proceedings moved to the High Court. There was a widespread feeling — both within the

legal fraternity and in the wider community — that New Zealand's legal system would also be on trial.

Planning by the Ministry of Justice followed two clear directives from the judiciary. The Chief Justice, Dame Helen Winkelmann, indicated that, to the extent possible, court processes were to be trauma-informed and culturally appropriate. The trial judge, Justice Mander, made it clear that there would be no departure from normal standards and procedures although he was also determined to ensure that justice was *seen* to be done.

Judicial proceedings were only one aspect of government activity following the Christchurch attacks. The Ministry of Justice established a programme to plan the logistical/operational support required for the hearing, and worked with representatives from agencies including Police, Corrections, and Crown Law to develop and put those plans in place.

The Ministry of Justice supports the judiciary by providing administrative, technological and human resources support. In preparation for the hearing, it put in place what it termed a "whole of ministry" approach (Ministry of Justice, personal communication) that reached across its various departments. It brought together a planning team with logistics, technology, security, cultural and communications experts as well as its victim services staff. Planning was overseen by Mander J, supported by communications advisor Cate Brett and the Senior Courts group manager, Andrea King. During the planning phase Brett was joined by Jo Malcolm, an experienced news and current affairs broadcaster with established links to both national and international media through a long-standing communications role with the All Blacks. The media liaison role, such as that led by Brett, has been recognised as a key component of major trial management (Jane Johnston "Three phases of courts' publicity: reconfiguring Bentham's open justice in the twenty-first century" (2018) 14 *International Journal of Law in Context* at 525–538) and her leadership has been acknowledged by both the judiciary and the media.

Brett, who was interviewed by one of the authors on 23 May 2021, was also one of the court representatives on the Media and Courts Committee, with other members brought into the planning process at an early stage as the principal liaison points. The anticipated level of media interest in the trial led to consultation with committee members on use of the registration system used in the 'Millane Trial' (see part one of this article at [2022] NZLJ 265) for journalists wishing to have access to the court. New Zealand also has a standing system for trial coverage by recognised media. The in-court media guidelines establish who is a bona fide journalist and

set out a process for applying to film or record particular proceedings. The registration system developed for the Tarrant trial combined the standing principles and the 'Millane' experience: applications would need to be made much earlier than usual; international applications would be subject to extra scrutiny to ensure the applicant was engaged in legitimate work for a bona fide media organisation; there would be contingency provisions to allow for late developments in the case, and allowances for late applications.

New Zealand media again raised the fear — fuelled by the British media flouting of New Zealand court orders in the Millane case — that they may be held responsible for the independent actions of overseas media outlets to whom they had sent material under syndication or supply agreements. Their argument was accepted and international media — including those who were supplied by New Zealand media — would be required to register in their own right and be held individually responsible for any breaches.

Pool coverage for video/audio and still photography was mandated early in the planning process. It was agreed that the former would be provided by the country's public media network Television New Zealand and the latter by NZME, publisher of the largest daily newspaper, *The Zealand Herald*. TVNZ would provide a package of curated and, where necessary, pre-pixelated footage for worldwide distribution. Still photographs would also be pre-pixelated in line with any rulings by the Judge. This pro-active obscuring of detail would ensure there was no repeat of the foreign disregard of the Judge's ruling at Tarrant's first court appearance that his face should be obscured. In that case, images had been distributed with an expectation that they would be pixelated at the receiving end but some publications and broadcasters failed to do so (Gavin Ellis and Denis Muller "The Proximity Filter: The effect of distance on media coverage of the Christchurch mosque attacks" (2019) 15(2) *Kōtuitui: New Zealand Journal of Social Sciences Online* at 344).

Planning for the hearings broke new ground in the use of audio-visual technology for live-streaming of proceedings to authorised users in order to satisfy the wide international interest — not only from media but from the diaspora of victims' and survivors' families and friends. Since 2010 New Zealand courts have had the power, under the Courts (Remote Participation) Act, to use audio-visual links (AVL) for remote hearings of both criminal and civil proceedings. However, the use of Virtual Meeting Room (VMR) technology for international links to media, victims and authorised observers was novel. In preparation for the hearing, there was also extensive national and international use of Microsoft Teams and Zoom for planning discussions. The persistence of the COVID-19 pandemic saw greater use of AVL-VMR by New Zealand courts. An outline of its use can be found at <[www.justice.govt.nz/covid-19-information/participating-in-a-virtual-meeting-room-court-hearing/](http://www.justice.govt.nz/covid-19-information/participating-in-a-virtual-meeting-room-court-hearing/)>.

Senior media representatives were made aware of the determination by the court to allow victims and families to have access to proceedings and for their voices to be heard. It was in line with the approach the media itself had taken since the attacks. Media Freedom Committee chair and Media and Courts Committee member Miriyana Alexander (interview with the authors, 31 May 2021) said: "[i]t was very clear, very early on, that the court was deeply invested in putting the victims and survivors and their families first through this process".

Up to this point, planning had proceeded on the basis that Tarrant had pleaded not guilty and so a lengthy trial lay in prospect. His guilty plea in March 2020 was unforeseen. His attitude in prison had been, if anything, belligerent: witness his correspondence and complaints ("Alleged mosque gunman lodges complaint — report" *Radio New Zealand*, 31 March 2019. Retrieved from <[www.rnz.co.nz/news/national/385983/alleged-mosque-gunman-lodges-complaint-report](http://www.rnz.co.nz/news/national/385983/alleged-mosque-gunman-lodges-complaint-report)>; "Christchurch attack suspect sent 'call to arms' letter from cell" *The Guardian* (online ed, 15 August 2019)). His initial not guilty plea in the face of overwhelming evidence and presence of eye-witnesses had been seen, by media at least, as a signal that he intended to use the trial process in the same manner as Norwegian terrorist Anders Breivik (see part one of this article). Early on 25 March, from his cell in Auckland's maximum security prison at Paremoremo, Tarrant indicated he wished to plead again.

The Court took the unusual step of warning the media that Tarrant was about to make a new plea. Cate Brett telephoned pool providers NZME and Television New Zealand. Editorial executives in each of those organisations undertook to contact other media.

The unanticipated court appearance came as unprecedented pandemic restrictions were placed across New Zealand. Five days earlier New Zealand had closed its international borders and on the day of the hearing the country entered a full COVID-19 lockdown described by Prime Minister Jacinda Ardern as "the most significant restrictions on our people in modern history" (Office of the Prime Minister "New Zealand moves to COVID-19 Alert Level 3, then Level 4 in 48 hours" (press release, 23 March 2020)).

The chair of the Media Freedom Committee, Miriyana Alexander, had been asked to be the contact point for media:

So the first thing I had to do was say to them: '[t]his is happening.' I'm continuing to liaise with the courts on how this is going to work. We had limits on the number of people that could be present in any one place. So everyone had to do all those physical arrangements about pool coverage and how that was going to work and who was going to be there.

Daily news media were designated an essential industry allowing them to operate throughout the pandemic's four-level lockdown. Nonetheless, they were subject to restrictions at various levels. Christchurch would be at Level 2 during the hearing, and therefore able to engage publicly with relatively minor restrictions. Auckland, however, faced far more stringent restrictions that had a material effect on the news headquarters of most of the major domestic news organisations. Newsrooms were able to operate on skeleton staffing with many of their journalists working from home at Level 3. Those required to staff the newsroom operated in physically distanced clusters. TVNZ's head of newsgathering, Phil O'Sullivan, in an interview with one of the authors on 15 June 2021, explained the arrangement in his Auckland newsroom:

Our [main] Auckland newsroom was at level three lockdown and we had to split the team in two. We had a Red and a Blue team. If somebody in the Red team got sick, and *everybody* had to be isolated. We had the Blue team that would step in and hold the fort for 14 days, until the Red Team members got well again. We created a separate group of five [the editor team] to handle the Tarrant sentencing and that became Purple team. They

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would sit on a different floor and they were not to come into the newsroom, in order to maintain this separation. The Purple team were the outliers. The reporters were in Christchurch and were not under lockdown. It became a much bigger logistical exercise, because of COVID, which [because the country had been free of the virus since June] we hadn't anticipated.

Most domestic media had permanent staff in Christchurch (many of them had covered the mosque attacks) which limited the need to seek permission to travel out of the tightly-controlled Auckland lockdown area.

The day after the announcement of a plea change, a scaled down hearing before Mander J was held in Christchurch with Tarrant and his counsel appearing via video link from Paremoremo prison. Only 17 people were present in the courtroom. No members of the public were allowed into the hearing but the imams of the two mosques that were attacked were allowed to attend to represent the victims and their families. Five journalists from New Zealand's major media organisations were granted permission to be in court. The Judge said he regretted that victims and their families were not present to see Tarrant plead guilty. The contents of the hearing were subject to a court-imposed one-hour embargo to allow police to tell shooting survivors and family members about the guilty pleas.

The Judge told the court: "[T]here is no intention to sentence the defendant before the court returns to its normal operations and at a time when the victims and their families can attend court in person" (Kurt Bayer and Anna Leask "Christchurch mosque shootings: Brenton Tarrant's shock guilty plea to murders" *The New Zealand Herald* (online ed, Auckland, 26 March 2020)). His comment did not anticipate the protracted nature of the pandemic.

## THE MANDER MINUTES

Mander J made extensive use of minutes to communicate and inform media (and victims) about progress in proceedings and to explain the purposes of different court orders, including suppression orders. The minutes, together with Justice Mander's sentencing notes, can be found at <[www.courtsfnz.govt.nz/for-media/r-v-tarrant/](http://www.courtsfnz.govt.nz/for-media/r-v-tarrant/)>. This was the means by which the Judge set out conditions of media coverage and remote access.

The minutes appeared at intervals as successive nominal dates for a sentencing hearing were pushed back by the continuing effects of the pandemic. He devoted much of an early memorandum (*R v Tarrant* HC Christchurch CRI-2019-009-2468, 2 July 2020) to explaining the situation facing victims and family who were overseas and subject to often onerous travel restrictions due to the virus. New Zealand, for example, banned all except citizens and residents from entering the country and returnees were required to spend 14 days in managed isolation. He conceded that there was no way to determine how long the situation would persist but it would be unacceptable to allow the sentencing date to drift. As a result the Ministry of Justice would put in place live-streaming technology that would allow victims to present victim statements and communicate with the court.

Mander J then released a minute stating that Tarrant had dispensed with the services of his counsel and wished to represent himself. The Judge said standby counsel would be appointed to assist or represent the accused if required. (*R v Tarrant* HC Christchurch CRI-2019-009-2468,

13 July 2020). Tarrant's decision led to speculation in *The New Zealand Herald* that, by conducting his own defence, Tarrant could attempt to turn the trial into a platform for his beliefs (Derek Cheng "Christchurch mosque shootings: Brenton Tarrant to represent himself in court" *The New Zealand Herald* (online ed, Auckland, 18 March 2019)).

On 3 August the Judge issued a minute disclosing that three media outlets had sought access to court files relating to the case (*R v Tarrant* HC Christchurch CRI-2019-009-2468, 3 August 2020). Under Senior Court Rules, the public have access to some court-held documents as of right while access to others is at the discretion of the Judge. He withheld access to some judgements, orders and minutes, particularly relating to victim representation, and made redactions and suppressions in others. Both the Crown and the defendant objected to some documents in the remainder of the court file being released to media on grounds of privacy or sensitivity and there were also security and safety issues. The Judge made an interim order denying access to the remainder of the file (*R v Tarrant* HC Christchurch CRI-2019-009-2468, 3 August 2020).

Three days later he issued what was to be the most significant minute as far as media were concerned (*R v Tarrant* HC Christchurch CRI-2019-009-2468, 6 August 2020). In an eight-page document he went into extraordinary detail in setting out the conditions of media coverage of the sentencing and processes for remote access. It was the culmination of the pre-trial media planning and followed applications by 11 New Zealand and 18 overseas news organisations to cover the hearing. Nine local and 16 overseas organisations had applied to record, film or photograph the sentencing.

In a pointed preamble he praised the professionalism of journalists who had been present in court over the year-long proceedings leading up to sentencing "and who have abided by the necessary prohibitions of coverage" that (up to the point where Tarrant pleaded guilty) had been necessary to guarantee a fair trial (at [2]). The preamble continued (at [4]–[5]):

The need for justice to be seen to be done is strong. Alongside the requirement for transparency and openness there are a number of other important principles and considerations to be taken into account at sentencing. Foremost among these is the Court's interest in ensuring the hearing is conducted in a manner which upholds the dignity of the Court and safeguards the rights of all participants. The Court is also aware of the need to take what steps it can to minimise the re-traumatisation of victims and their families and avoid, to the extent possible, the hearing causing further potential harm.

... It is for this reason that the law imposes specific rights and responsibilities on news media when reporting on the courts, and why the courts reserve the right to determine whether and under what conditions media may be permitted to supplement their coverage with audio and video recordings and photography.

The minute addressed issues relating to victims who would give impact statements as well as the effect that cameras might have on others in the court, including the defendant. Mander J directly addressed the concerns over a repeat of Anders Breivik's courtroom actions (at [16]): "... the Court also has a duty, particularly in the context of offending against the Terrorism Suppression Act, to ensure it is not

used as a platform and is obliged, to the extent possible, to prevent it being used as a vehicle to cause further harm”.

The starting point for conditions of coverage were the In-Court Media Coverage Guidelines but Mander J used his discretion to go beyond their provisions. The guidelines require a hiatus of 10 minutes between transmission of audio/video and photographs from the courtroom and publication. There are exceptions for sentencing and a judge's summing up which can be broadcast live. In the case of *R v Tarrant*, however, there would be no live broadcasting and there would be only two windows for reporting of any kind — during the midday adjournment and the end of the sitting day at 5 pm. Before each adjournment the Judge would direct whether any restrictions were to be applied to what could be broadcast or published. He followed usual practice in New Zealand courts in allowing only one videographer and one still photographer to be present and stipulated their material would be available under a pool arrangement to accredited news organisations but to no other media.

The ruling effectively eliminated (almost) real-time updating of news organisation's websites via Twitter and equivalent media tools such as Sourcefabric/liveblog, an open-source journalism tool which, unlike Twitter, allows newsroom executives to monitor messages before they are posted on a news website.

Such reporting is permitted in New Zealand courts although international opinion is divided on the contribution it makes to fair and open justice. Five years after Twitter was launched, Emily Janoski-Haehlen in “The courts are all a ‘Twitter’: The implications of social media use in courts” ((2011) 46(1) *Valparaiso University Law Review* at 68) concluded that the courts would need continually evolving rules relating to social media in order to protect fair trial rights, impartial juries, and trust in the judicial process. Seven years later, Astha Mathur acknowledged the reporting tool that Twitter had become but concluded that, given the laws applicable in case of misuse of Twitter are reactive, there is a necessity of proactive guidelines (“Criminal trial abuzz @twitter: study on the impact of live tweeting of court proceedings on fair trial rights” (2018) 8(1) *Nirma University Law Journal* at 19). Mander J's rulings were consistent with these views.

The Judge followed the protocol established in the Millane trial in dealing with foreign media and bound them to what was effectively a contract designed to overcome the impediment created by jurisdictional limits (at [23], emphasis in original):

Overseas media seeking access to the pool content in their own right, or under a syndication agreement with a New Zealand media organisation, will only be granted permission if they have completed the necessary registration process and formally agreed to be bound by all court orders and New Zealand law, including the laws of contempt of court, and sub judice, and which govern publication of the content of the proceeding and the identification of participants *as if they were enforceable in the country in which they operate*.

The emphasis in the final lines was the Judge's own. He left foreign media in no doubt that they were expected to abide by any conditions or orders he imposed. Each accredited organisation was required to nominate a senior journalist who would be responsible for ensuring that all requirements of the court were met. The ability to enforce such requirements, even with a contract, is arguable so the Judge went further. He ordered that the only access foreign media would have to publishable footage and images from the hearing

would be provided by the pool operators Television New Zealand and NZME. Unique identifiers meant individual feeds could be blocked if the court rescinded access for breaches of the agreement.

Pool graphics and reportage by journalists in court would almost certainly have been the limits of facilities provided by the court had international interest been limited to media. However, the court — along with the New Zealand Government — was determined that survivors and victims' families should have access to the hearing either as observers or participants. The fact they were spread around the world, and that the pandemic had curtailed international travel, led to comprehensive planning for live-streaming that included a live-stream website with simultaneous translation in eight languages. The feed was also to be made available to victims and families within New Zealand. However, Mander J imposed strict conditions:

- Only approved applicants could receive the live-stream.
- Recording, downloading or capturing of the content was prohibited.
- No content could be shared with other parties.
- Publishing of reports of the sentencing (while in progress) from the live-stream, including posts on social media, was prohibited.

Copies of the court orders relating to the video were sent in advance of the hearing to all major social media platforms. There had been international criticism of them over their failure to act quickly to remove material posted by Tarrant before and during the attacks. By the time the sentencing was due, they had adopted a more compliant attitude. Our research has failed to find any major breaches of Mander J's orders by major social media providers.

Far right encrypted channels, however, have continued to disregard suppression orders. An analysis of Right Wing social media traffic, “Mapping Networks and Narratives of Online Right Wing Extremists in New South Wales”, conducted by Macquarie University Department of Security Studies in 2020 (retrieved from <zenodo.org/record/4071472>), found the Christchurch attacks and their perpetrator had been portrayed as a cause célèbre and icon on the encrypted channels 4chan and 8chan. Tarrant was revered by some in these communities and a vast amount of imagery and iconography was created and circulated in meme form. They see themselves as beyond the law.

The live-stream served other purposes beyond informing legitimate overseas parties. It was channelled to domestic locations: overflow rooms for victims and families unable to sit within the (COVID socially distanced) court; an onsite media room for reporters who could not be accommodated on the press bench; a virtual meeting room (VMR) for accredited offsite New Zealand media; the Judges' bench; and a number of court management and security services. The system could support as many as 2000 users.

A 10-minute delay was imposed on the live-stream website for victims and families and the VMR feed to offsite media (required to use pool coverage of proceedings in broadcasts and publications but able to use the VMR feed for monitoring purposes) carried an electronic watermark across the screen which read: “ACCREDITED MEDIA VIEW ONLY: COPYRIGHT COURTS OF NEW ZEALAND. MEDIA VIEW ONLY. NOT FOR DISTRIBUTION OR COPYING”. Although no such watermark was imposed on the

feed to victims or families, court victim advisors and ministry staff reiterated the Judge's prohibition on secondary use. In addition, there were log-in processes and monitoring of online analytics that allowed officials to determine whether a link was being misused. The system had the capacity to disconnect it.

The video views that were proposed were designed to present the viewer with the same scene as if they were sitting in the courtroom — and thus prevented any close-up shots of anyone in the court. There were five static views:

- A 'back view' in which participants in front of the Judge would not be identified.
- A 'front view' showing participants who agreed to be filmed while giving victim statements.
- A 'neutral view' of the Judge's bench while acknowledging victim statements.
- A 'remote view' of victim statements being given from other locations.
- A 'bench and dock view' for the actual sentencing of Tarrant.

There was to be no static shot of the defendant in the dock except during the passing of sentence.

Strict conditions were also imposed on the framing of still images to prohibit, for example, extreme close-ups.

Mander J's final pre-trial minute was issued six days before the sentencing hearing was due to start (*R v Tarrant* HC Christchurch CRI-2019-009-2468, 18 August 2020). The minute stated that a registration system had been implemented for victims/families as well as journalists. The number of victims who could safely be accommodated in the courtroom with appropriate COVID physical distancing was 35 but seven overflow courtrooms (with live-streaming) were reserved for victims, their families, and support personnel. Ten seats were reserved in the courtroom for media with a further 27 seats in an overflow courtroom.

By then, 66 victims had indicated to the court that they wished their statements to be read in court, with provision for them to be pre-recorded, read in person, or read by a representative of the victim.

In addition to Mander J's minutes, Justice Ministry staff provided international media — and the victims — with information about the New Zealand justice system. Resources specifically for the Tarrant sentencing were also created and placed on the Courts of New Zealand website for use by all media. Before the hearing there was an hour-long media briefing attended by court registry staff along with victim and cultural advisors. Overseas-based media participated in the briefing via Zoom.

## VICTIM SUPPORT

New Zealand passed landmark legislation in 1987 encouraging the country's justice agencies to engage with victims during the criminal justice process. The Ministry of Justice subsequently established Court Services for Victims and the role of Court Victim Advisor in 1993, with a further expansion of this role into all courts in 1996. This commitment to victims of crime was strengthened with the introduction of the Victims Rights Act in 2002. These court victim advisors played a crucial role in the Tarrant proceedings, not least in meeting the court's desire to see victims informed of procedural developments before they were released to media.

Mander J's minutes and procedural rulings were communicated to the victims through the advisors.

The court victim advisors' roles were complicated by a number of factors. Not all of the surviving victims and their families and friends were permanent New Zealand residents when the attacks took place and had to return to their home nations as the judicial process advanced. Some who had intended to be in New Zealand on visitor visas when the accused faced the court were unable to do so because of COVID-related quarantines. And the number who wished to register with the advisors grew exponentially after families received information on how they could participate in the court process. Registrations relating to a single victim of the attack increased from one or two family members to as many as 15.

Much of the communication was via email but court victim advisors were available to discuss any issues that were concerning those who registered with the service in person or by telephone. They discussed the impact of media coverage and approaches from journalists but those discussions, like many of the advisors' interactions with clients, remain confidential.

In addition to direct contact between victims and court advisors, an Operational Support Group (OSG) was established. This group comprised experts from the Muslim faith with expertise in psychology, law, religion, and community outreach. The OSG met with the Media and Courts Committee in March 2020. It was an important meeting because it allowed OSG members to speak directly to senior media executives about the potentially traumatic impact of reporting. Court victim advisors were present at a separate meeting with media representatives in Christchurch at which the dangers of traumatising and retraumatising were similarly emphasised.

The court victim advisors briefed those clients who elected to make victim impact statements and discussed media coverage, although victims liaised with the New Zealand Police over the content. Many of the victims had had their attitude to media preconditioned by coverage of the attacks and the immediate aftermath. Some had had helpful interactions with media while others had been subjected to harassment by reporters — such as repeated attempts to interview them. The court victim advisors informed those reading impact statements of their right not to have their statements reported or to be photographed. The advisors also provided court orientations to victims who had elected to read the victim impact statements at the sentencing. For those travelling and unable to have a court orientation in person a court video was filmed and provided.

In summary, these elaborate preparations, initially conceived in the expectation of a long-running criminal trial, were designed to minimise the risk of the proceedings being used by the accused as a platform for propagandising while adhering to the principle of open justice; to minimise the risk that global media would undermine the attempt to strike this balance while allowing media coverage essential to achieving open justice, and to give a voice to the victims and survivors in ways that minimised the risk of re-traumatising them or opening them up to media exploitation. In the event, the accused changed his plea to guilty, and so instead of a trial the proceedings were reduced to a sentencing hearing. Even so, risks remained. How these played out in the sentencing hearing is the subject of part three of this series of articles.

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