

PRACTICE NOTE

Guide on Submission of Media Files

This Practice Note is issued to the general public as a guide to prepare for hearings. The powers of the Guardianship Board (“Board”) is not limited by the Practice Notes. The Board may direct otherwise at specific hearings and consider the situation as a whole in making its determination.

No media files will be considered as evidence by the Board unless all of the following conditions are complied with. Parties should refer to this Practice Note in the context of the Procedural Guidelines of the Board if they wish to provide information for the Board’s consideration at, or in connection with, a guardianship hearing. A “media file” includes a file consisting of, but not limited to, audio, video or pictorial recording or the contents of social media.

1. The purpose of providing the media files must be clearly stated by the provider of the information.
2. Media files must be accompanied by a **full verbatim** written transcript.
3. If the recording in the media files involves other person(s), the consent of such other person(s) involved must be obtained before the media file can be provided to the Board. The consent statement(s) signed by the relevant person(s) shall be submitted together with the transcript.
4. A party who wishes to provide a media file for the Board’s consideration must prepare sufficient copies of the files, the full transcripts and consent statements (together, the “Media Bundle”) for disclosure to all participants attending the hearing, which include the case officer of the Social Welfare Department, the applicant, the guardian, as the case may be, and other persons permitted to attend.
5. The cost of preparing the Media Bundle and all copies shall be borne by the party submitting them. No liability for cost or for any obligation whatsoever shall be accepted by the Board.
6. It is the responsibility of the parties to submit virus-free and Trojan-free documents, files or medium to the Board and to other parties.
7. The naming convention of the Media Bundle shall follow this format: [GB case number].[date of recording in the media file].
8. It is the responsibility of the parties to ensure the media files submitted are presented in a common type of media and can be played by the Board without technical issue.
9. The Media Bundle must be provided to the Board Secretariat at least five (5) working days in advance of the scheduled hearing for the Board and the parties to consider the information.

10. The Board Secretariat may send the copies received to the parties pursuant to rules 7(1), 10(1) & 13(1) of the Mental Health Guardianship Board Rules (Cap. 136E) or notify them for collection.
11. Notwithstanding the consent statement produced to the Board, the Board may still require the other persons concerned in the media file to give evidence or to attend the hearing and provide further evidence or substantive response on the matters concerned.
12. The Board may impose any other additional conditions from time to time.
13. Even if the Media Bundle appears to comply with all the conditions of this document, the Board shall have discretion to decide whether to accept it in whole or in part as evidence at the hearing and whether the files should be broadcast at the hearing.
14. Nothing herein shall bind or fetter the Board's power.

Guardianship Board
28 February 2025