

## **2.16 Deputy M. Tadier of the President of the Chairmen's Committee regarding the notice requirement for 'unaccredited media' to film a Scrutiny hearing:**

Will the chairman inform Members of the rationale behind requiring members of the so-called unaccredited media to give 3 days' notice if they wish to film the Scrutiny hearing when the same notice period does not apply to members of the established media?

### **Senator B.E. Shenton (President of the Chairmen's Committee):**

I am a little surprised that Deputy Tadier is asking this question because he is a member of P.P.C. (Privileges and Procedures Committee). The situation arose when a member of the public wished to video a Scrutiny hearing and we were asked to look into the matter as part of the Chairmen's Committee. We looked at other jurisdictions and we could find no other jurisdiction that allowed members of the public to come in and video government hearings, but as a matter of compromise we did say that they could come in providing they gave us 3 days' notice and that we had full agreement both of the witnesses giving evidence and also the person whoever was chairing the meeting. Having said this, this has not been acceptable to the media and as a result of this we are trying to get some sort of dialogue going with P.P.C. to try and sort this matter out.

### **2.16.1 Deputy M. Tadier:**

First of all, just to put the Chairman's mind at ease I have asked the same question of P.P.C. and I have not necessarily been getting the answers. There has been ping-pong between P.P.C. and P.A.C. (Public Accounts Committee) and nobody wants to grasp it. It is becoming an increasingly hot potato. The question I would ask is what kind of compromise is it to have a 3-day notice period for the members of the unaccredited media if permission is going to be denied systemically?

### **Senator B.E. Shenton:**

If permission is denied it can only be because the witness does not want to be filmed or the chairman does not feel it is right for the witness to be filmed. I do not think there is any benefit or addition to freedom of information bearing in mind that they can attend the hearings, they can listen to what is said and they can also receive transcripts of the hearings. I do not think shoving a video camera in someone's face is going to achieve very much, to be honest with you.

### **2.16.2 Deputy M. Tadier:**

As a supplementary, can the chairman confirm whether the ... where there is a journalist either accredited or unaccredited, so let us say are unaccredited as opposed to registered journalists also subject to the same 3-day notice period?

### **Senator B.E. Shenton:**

There is a difference between accredited and unaccredited journalists and accredited journalists are not subject to the same restrictions. Having said that, if any witness did not want to be filmed by the accredited media, the accredited media would not film them.

### **2.16.3 Deputy M. Tadier:**

Can I ask, what is the state of play for a States Member who refuses to be filmed by any media, be the accredited media or the unaccredited media? That is a mouthful so

I will clarify in terms that it probably has to be or probably should be. What is the state of play, for example, if a States Member refuses to be filmed by the unaccredited media and that is why they cannot film? If the States Member refuses to be filmed by the accredited media, what is the state of play there?

**Senator B.E. Shenton:**

I do find we are spending an awful lot of time on this issue bearing in mind we are only talking about one person that is interested in filming Scrutiny meetings. If a person does not want to be filmed, one assumes they do not have to be filmed and we ask witnesses along. If you called me along to a meeting and I did not want to be filmed, I would just sit there and not answer any questions which would be a waste of my time, it would be a waste of Scrutiny's time, it would be a waste of P.A.C.'s time [Approbation] and it would be basically a waste of the House.

**2.16.4 Connétable J. Gallichan of St. Mary:**

I was beginning to think it was a one man show on this question. The chairman did mention part of what I am going to say in his last answer, but does the chairman not agree that the prime function of the Scrutiny process must be to enable evidence to be gathered, reliable evidence to be gathered, and to be gathered in an as stress-free an environment as possible for the witnesses? Sometimes they have come to panels and been under a considerable anxiety about the information they were going to provide and wanting to do it to the fullest possible extent. Will the chairman join with me in ensuring that this process is not jeopardised by hasty decisions? Thank you.

**Senator B.E. Shenton:**

I would totally agree. I mean I think most of us entered politics to do some good and to dig down and find facts and get evidence. I do not think many of us entered politics to be in the business of show business. [Approbation]

**2.16.5 Connétable P.F.M. Hanning of St. Saviour:**

There is a basic difference here that I think people are ignoring and perhaps the chairman could confirm this, but if the accredited media broadcasts something on television, they are responsible to a Board and will have to answer to that. If a member of the public puts it out as a blog, they are not responsible to anybody and there is no method of control. Would the chairman confirm that?

**Senator B.E. Shenton:**

Yes, the accredited media are professionals and there is a complaints procedure that can follow. Having said all this, we are in discussions with the Chairmen's Committee and in discussions with P.P.C. and we are going to pull a proposition that we put in to stop all filming so that we can carry on the dialogue to come to some agreement. But the job of government is government and the job of government must take priority over allowing people to film if it is going to disrupt government or prevent information that is vital to the role of government being put forward.

**2.16.6 Deputy D.J.A. Wimberley of St. Mary:**

I just would like the chairman to comment on this distinction he makes between the accredited media and the unaccredited media in relation to their presumed increase in professionalism and I would just like him to comment on, for instance, the fact that when the *Jersey Evening Post* reported Deputy Southern's and Deputy Pitman's case about Article 39 and about helping people to fill in their voter registration forms,

repeatedly they gave the impression in their headlines and their coverage that there was something to do with the ballot paper. Now they just did it by implication, they did it in the headlines and I did not lodge a complaint because we are all busy people and one has a week's deadline, I think, with the Press Complaints Commission. I have lodged a complaint to the *Sun* and it is a very elaborate procedure and not one that is very user friendly. I would just like you to comment on this notion and do you agree that the accredited media are more honest than the unaccredited?

**The Bailiff:**

Deputy, sorry, I was speaking. You must do it through the Chair, not: "Do you agree?"

**Senator B.E. Shenton:**

I was wondering whether the Deputy had a beard when he started the question. **[Laughter]** I think the Deputy answered it in himself in as much as he did say: "I did have a complaint against the accredited media and I was thinking about complaining to the Press Complaints Commission." Obviously with the unaccredited media, there is nowhere you can go if you have a complaint.

**2.16.7 The Deputy of St. Martin:**

I did hear Senator Shenton mention there was only one unaccredited media person. Would it not make sense to include them in any part of circulation that is going out and that way at least they would be in the know rather than being kept outside? It seems a common sense approach. Would the chairman agree with that?

**Senator B.E. Shenton:**

The unaccredited media do receive the pink sheets in the same way as the press do. The Scrutiny office do provide that.

**2.16.8 Deputy R.G. Le Hérissier:**

Would the questioner not admit that the sudden shyness in terms of publicity is unusual for politicians, including himself **[Laughter]**, and secondly, would he confirm that the Chairmen's Committee have approached P.P.C. to look at the whole issue of media coverage of the States, from the whole issue of whether, heaven forbid, these proceedings should be televised, or heaven pray, they should be televised and so forth in order that we can get to grips with this and iron out a lot of the anomalies that are currently present.

**Senator B.E. Shenton:**

I would totally agree with the Deputy. I think it is the job to look at the whole aspect of media and I notice that we did have the Channel T.V. (television) camera filming the very first part of the session which I used to ask a question while they were still filming. It is important that we do have a look at this whole issue, but we also have to make sure at the end of the day that the witnesses are comfortable when they are giving evidence to Scrutiny or whoever.

**2.16.9 Deputy M. Tadier:**

First of all, I believe that Senator Shenton has shown firm grasp of irony in regard to showboating. The question really has not been answered. If the problem is to do with recourse for members of the public, the 3-day notice period does nothing to address that underlying issue. The underlying question is, of course, why have a 3-day notice

period if the Committee Chairman and the P.P.C. have the opinion that unaccredited media should not be allowed to film at all. This seems to be a farce. Can he comment on the lack of consistency when a member of the public is quite at liberty to take a notepad, a pen and paper into a Scrutiny meeting and stick it up on his blog the next day? It could be full of lies or anything and there is no accountability there, but simply taking a camera which may be his tool of choice rather than pen and paper, one is prohibited from broadcasting anything like that. Can he comment on the inconsistency and also perhaps give a timeline as to when we can expect results so that this stupid situation that has been going on for too long and can finally be resolved?

**Senator B.E. Shenton:**

The idea of the 3-day rule was simply so that we could contact the witnesses and ask them whether they would like to be filmed or not so that we could go back to the unaccredited media and tell them whether it would be possible. I think at a recent hearing one of the witnesses, Deputy Martin, did agree to be filmed during the witness thing. The timeline with respect to P.P.C., it is on the agenda. We will be speaking to P.P.C. but it is a matter, when you open it out, that affects the whole Assembly and whether the whole Assembly wants to be filmed and whether we should be filming the Assembly and whether we should be filming this question time and so on. It is an issue for all Members so I would hate to see the discussions just be between the Chairmen's Committee and the P.P.C. I think the Executive also have to get involved in this and anyone else that has a vested interest.