

5.11 Deputy T.M. Pitman of the Chairman for the Privileges and Procedures Committee regarding the filming of Scrutiny meetings by ‘citizen media’:

Following the withdrawal of P.100/2010 Media Relations - Code of Conduct will the Chairman advise when this matter will be brought before the Assembly so that issues relating to citizen media filming Scrutiny meetings can be resolved and will she detail what evidence, if any, the committee possesses that such media is any less biased than elements of mainstream media?

The Connétable of St. Mary (Chairman, Privileges and Procedures Committee)

The Committee’s original proposition on media relations asked the States to adopt a code of conduct for members of the public and the media when in the States building. The code had been drafted by the Media Working Party and was proposed unamended by P.P.C. Following an approach from the Deputy of St. Martin, P.P.C. agreed to withdraw the proposition to enable further research to be carried out. The committee has now drafted some amendments to the code and I will shortly be arranging a meeting with the former members of the Media Working Party - Senator Shenton and Deputy Jeune - to receive their input on the proposed changes. I would anticipate that once that meeting has taken place and the revised code has been approved it will be lodged for debate as soon as possible. With regard to the final part of the Deputy’s question, it is not the role of the Privileges and Procedures Committee to express a view in respect of the bias or otherwise of any form of media, nor to provide evidence to support any such view.

5.11.1 Deputy T.M. Pitman:

I know we are a bit wary about using names, but it is not in a derogatory way. Certainly from perhaps rough beginnings the main mountain person of citizen media, Mr. McMurray, has certainly played the game and been an exemplary... certainly in his dealings as far as I am concerned. Is it not time that this was now brought to a head and people can have a chance and if they blow it then they get those rights taken away? The only lies that have ever been said about me, very damaging lies, are from the *Jersey Evening Post*, so let us have some fairness here. Does the Chairman agree?

The Connétable of St. Mary:

As I have said, the media code has been reworked, the committee has made some amendments and it will shortly be hopefully approved by the Media Working Party and lodged. The Deputy can then judge the course of action it takes. I am obviously not party to his own experiences with the media, but of course the Deputy will have had a course of redress and I am sure that he will know that course of redress and would have taken action.

5.11.2 Deputy M. Tadier:

I am surprised to hear the Chairman’s comments that it is not for the committee to express a view or at least to be able to express a view on potential bias seeing as I am sure the committee have already recognised and mentioned the fact that it is incumbent on certain mainstream broadcasters such as the BBC, at least in theory, to maintain an element of balance in their reporting, which is not necessarily incumbent on other reporters, either mainstream or non-mainstream. But will the Chairman agree that to make life a lot simpler and to have a more liberal but probably more effective approach it would be a lot simpler just to have an agreement, a piece of paper which could be signed by anybody who wanted to report the events of the

States of Jersey to sign-up to it and if they contravened the points of the code of conduct then their permission to report on events would be taken away. Is that not a more appropriate and more fair-minded approach?

The Connétable of St. Mary:

This is obviously not the time, during question time, to have a debate on this, but I have no evidence from the Deputy as to who would be granting this status, who would be enforcing the status, which person it would be who would say to somebody: “You are not any more entitled to attend.” Things need to be thought through thoroughly before they are brought to the Assembly.

5.11.3 The Deputy of St. Martin:

I think Deputy Tadier should go into some of the detail which came apart from the amendments I did submit to the P.P.C. The Chairman quite rightly said that she withdrew the proposition following a meeting with me but she did say also that she would be meeting with a working party. Would the Chairman not consider that I, too, could be invited to have a meeting, bearing in mind the number of amendments and the work I put into those amendments? Maybe, as a matter of course, I would be invited to attend that meeting.

The Connétable of St. Mary:

That could certainly be arranged, but obviously the amendments that the Privileges and Procedures Committee have suggested to what was, of course, the Media Working Party’s report need to be vetted by the Media Working Party before any further action is taken.

5.11.4 The Deputy of St. John:

Would the Chairman agree with me that at the end of the last session we saw one of these so-called alternative medias have to be escorted from the gallery on the instructions of the Bailiff due to the behaviour of one of these members, and therefore does this not prove that at this time it is probably not right to even go down the road of allowing these people, who cannot behave, in the public gallery to become some kind of alternative media?

The Connétable of St. Mary:

I do recall the incident. I cannot comment on who was expelled and in what capacity they were in there. A member of the public may observe the States sitting. There are rules set down for behaviour and decorum and there is a mechanism in place, as we all saw, for how breaches of those rules are dealt with by the President. I think that just goes to show how important it is to have a well-thought-out code of conduct or a code of operation for every situation.

5.11.5 The Deputy of St. Mary:

Will the Chairman undertake to look seriously at the suggestion of Deputy Tadier that really the nub of this is to have a code of conduct, which she just mentioned in her last sentence, governing all media who report on any business of the States or its scrutiny panels or whatever, and that then people sign that and then if they break it then that is an objective matter and they can be struck-off the list? Otherwise we are just going to go round and round in circles. So, I just ask the Chairman of P.P.C. whether that is not a very good way to proceed because that focuses us on the code, what is the right

behaviour for media reporting and what are the appropriate sanctions for when that code is broken.

The Connétable of St. Mary:

I would implore the Assembly to wait for the media code of conduct to be re-lodged so that they can judge for themselves the action that P.P.C. suggests but I do maintain that it is not simply a question of signing on the dotted line for any code of conduct. You need someone who is responsible for overseeing it, somebody who deals with any breaches, you need probably an appeals procedure or whatever, and that needs to be funded and resourced. I would urge Members to wait for our proposition.

5.11.6 Deputy R.G. Le Hérisier:

Would the Chairman not concede that even though there might well have been untoward behaviour which required correction in the public gallery, that it is possible to separate out a person's role as a media person and a person's role as a member in the public gallery, and that it is rather premature to attribute guilt simply on the basis of that behaviour.

The Connétable of St. Mary:

I thought that was exactly what I tried to do. I did make clear in my response to - I think it was the Deputy of St. John - that I was not aware of the capacity of any media person. I simply saw a member of the public in their rightful business of regarding the States Assembly.

5.11.7 Deputy T.M. Pitman:

As we are talking about moving forward in the Media Working Party, does the Chairman perhaps agree that it might be helpful if ... I believe we have one person on the Media Working Party who is very anti-filming; he is not here, as usual, so I cannot ask him - Senator Shenton - but Deputy Jeune is not even on Scrutiny and yet she is being able to have a say on what happens at Scrutiny. There seems to be a big anomaly there. Would it not be better to talk perhaps to some other people? Then we can move forward.

The Connétable of St. Mary:

The Media Working Party was constituted with myself as Chairman of Privileges and Procedures, a representative of the Chairman's Committee, which was Senator Shenton, and a representative from the Council of Ministers from the Executive side, Deputy Jeune. The working party worked for some considerable time. I think it would be very unwise to introduce anybody else to it now, and I would urge Members to wait and see what the party comes up with.