

Response to Dr. James Anthony's Draft Report on the Inquiry into Freedom and Independence of the Fiji Media as Commissioned by the Fiji Human Rights Commission

Fiji Media Council Public Members

Introduction

We, the undersigned Public Members of the Media Council (Fiji) Ltd., after discussion and due consideration agreed to respond to the draft report as presented by Dr. James Anthony as detailed below.

Appointment of Public Members

There are eight Public Members (equal in number to the Industry Members) in addition to the Chairman, Secretary and the two-member Complaints Committee. When a vacancy occurs the Media Council advertises for applicants to fill the vacancy. The names of applicants are tabled at a Council meeting and provided there are no objections the Complaints Committee (see below) decides on the actual appointment. In selecting the successful candidate the Complaints Committee endeavours to ensure that the public membership of the Council is as widely representative of the Fiji population as possible. It must be added that Industry Members have absolutely no input whatsoever in the appointment of Public Members.

Terms of Reference

It is noted with regret that the Terms of Reference (TOR) do not form part of Dr. James Anthony's draft report. Instead of the TOR covering the first section of that report, the TOR has been relegated to an Appendix in the form of a copy of a media advertisement as published by the Fiji Human Rights Commission (FHRC).

Nowhere in the TOR is there a requirement to investigate the Media Council. Despite this, the report, at considerable length, criticises the Media Council claiming it has failed. There is no mention of specifically

where it has failed. A copy of the Media Council Constitution was made available to the enquiry and it would appear that Dr. James Anthony did not take notice of the Constitution. This Constitution provides the Council with a number of objectives and the Public Members are of the view that these have in the main, been achieved.

Enquiry Index

The Public Members totally fail to understand that a report of this nature is presented without an index which, it will be appreciated, we do not need to comment on any further.

Media Council General Code of Ethics and Practice

Dr. James Anthony dismisses the Media Council General Code of Ethics and Practice as being of no importance. The truth is that the 'codes' are extremely important and the Council membership is committed to upholding them. The current edition is the third and the amendments to earlier editions resulted from submissions made by members of the public and various institutions. Further to the code's use by the media industry, they have been used extensively in creating media awareness in schools and community organisations. Government departments and other institutions frequently refer to them in correspondence.

History of the Media Council (Fiji) Ltd

Dr. James Anthony claims that the Fiji Press Council was the predecessor of the current Media Council. That is totally incorrect. The draft report states that the current Chairman of the Council, Mr. Daryl Tarte, was a member of the defunct Fiji Press Council. Mr. Tarte was not a member of that Press Council. In July 1996 a number of prominent people decided to set up a News Council to fill the void left by the Press Council that had ceased to function. Mr. Daryl Tarte accepted an invitation to chair the new News Council. It assisted members of the Thomson Foundation in the preparation of its report. When that report was accepted by the Fiji Government, the News Council implemented the Thomson Foundation's recommendations. These included enlarging the membership to include all the major media organisations, the appointment of public members, the forming of an independent complaints committee and registering the Media Council (Fiji) Ltd.

The Current Media Council

The current Media Council has a membership of eight Industry Organisations and they are:

- Communications Fiji Ltd.
- Fiji Broadcasting Corporation Ltd.
- Fiji Television Ltd.
- Fiji Times Ltd.
- Islands Business International Ltd.
- Ministry of Information, Communications and Media Relations
- Sun (Fiji) News Ltd.
- USP School of Journalism

The Ministry of Information and the USP School of Journalism are full members of the Media Council and it is important to note that the Chairman does not appoint them as claimed by Dr. James Anthony. No doubt the Industry Members of the Media Council will respond to Dr. James Anthony's report as they see fit.

Complaints Committee

The Public Members see no reason why the Complaints Committee should have been mentioned in the report. Members of this Committee do not sit on the Media Council. The members are Mr. Paula Sotutu and Mr. Thomas Raju two highly respected members of the Fiji community. This Committee meets as required in accordance with the Media Council's Constitution. The Committee is chaired by the Council Chairman and is assisted by the Secretary.

Media Council Budget

The report comments in a number of places on the Council's annual budget claiming that \$30,000 is inadequate. Obviously Dr. James Anthony has been misinformed because he has failed to understand that this budget is merely designed to just cover the Council's annual operational expenses. There are further funds available and separate budgets are drawn up to cover other Council activities such as Media Freedom Day celebrations, hosting of Media Forums, Seminars, Training Programmes and other valuable activities and this refers in particular to the recently

Council organised Fiji Awards for Media Excellence (FAME) for journalists and other employees in the total media and advertising industry. The budget for the FAME project alone was in excess of \$40,000.

And it must be noted that the Media Council is self-funding and receives no assistance from Government other than the membership dues paid by the Ministry of Information, which all other Industry Members also pay.

Duavata Initiative Ltd.

The report includes a list of companies and organisations that are claimed to be members of Duavata Initiative Ltd. (DIL). Obviously we are not aware of the source of this information but we understand that many of those listed have no connection whatsoever with DIL. It is likely that the publication of this apparently incorrect information may result in corrective action.

Conclusion

In conclusion we, the Public Members of Media Council (Fiji) Ltd., would like to emphasise:

- a) We consider the draft report prepared by Dr. James Anthony to be seriously flawed as, in several instances, it lacks factual evidence.
- b) We deplore its racial overtones.
- c) We state that the report fails to address certain issues it was called upon to examine and in fact, has gone outside its TOR.
- d) We state that for the most part the report is engaged in unwarranted attacks on individuals and organisations.
- e) We deplore the use of unnamed sources to support the bigoted opinions as expressed by Dr. James Anthony.
- f) We also deplore Dr. James Anthony's statement that the appointment of Public Members to the Council 'smells'. That is utter nonsense.
- g) Considering the TOR, we fail to understand that Dr. James Anthony should suggest the 'Establishment of a Media Tribunal and Media Development Authority' to be funded with a 7% tax to be derived from media advertising revenue. We are inclined to conclude that Dr. James Anthony prepared a large part of his report with pre-conceived ideas.
- h) We believe that the 61 persons interviewed cannot form a reasonable base for the creation of Dr. James Anthony's report if we

consider the thousands of people who daily read newspapers, listen to the radio and watch TV or do all three regularly.

- i) Regardless of the fact that the Media Council provided names and contact details of all Public Members Dr. James Anthony, for reasons unknown to us, chose not to contact any Public Member.
- j) Having due regard to the fact that this was a public enquiry and that the FHRC is funded by public funds, we and indeed the public, would be interested to know what did it cost?
- k) On page 46 of the report it is claimed that the Council Chairman instructed the Secretary not to reply to any requests for information and that all comments on behalf of the Council would be made by the Chairman himself. This is a totally incorrect statement as no such instruction was given. On the contrary however, the Chairman issued instructions to the Secretary that where possible the inquiry should be provided with whatever information it requested.
- l) Finally, it is the considered and unanimous opinion of the undersigned that this draft report is without merit and should be withdrawn.

Signatures by:

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Peter Erbsleben
Meleniani Kuruavesi
Vasiti Biunaiwai Loki
Joel Sahai
Timoci Tavanavanua
Agatha Ferei
Humphrey Chang