

Self-Regulation with More Accountability and Transparency

Sophie Foster

OVER the next few weeks, the media industry and its audience around the country (and indeed the world) will discover what sort of regulatory climate the interim regime in Fiji wants them to operate under. As the Deputy Secretary for Information Major Neumi Leweni confirmed, a draft of the interim regime's media promulgation document will be ready by December this year. They have found that such an update is necessary given changes to the industry, with the advent of more radio stations and the emergence of online media through the Internet. What they say they will be doing is amalgamating all the existing laws with regard to the media under one promulgation. But they will also be adding to it — most significantly by way of setting up procedures to allow for a Media Appeals Tribunal headed by a judge, and setting out hefty fines, penalties and jail term for those found guilty. The main beneficiaries of this exercise are said to be members of the public, journalists and the media industry as a whole.

What's more, this drive to place new legislation over the operations of the media industry is resonating well with certain audiences. There are certain elements of the proposal for a media promulgation that would make it acceptable, especially in the area of ensuring justice is not delayed when it comes to breaches of media laws and ethics. In fact, some in the media industry would be quick to agree that such justice needs to be faster, more transparent and precise. This has become more of a concern because of the belief that the Media Council has not been as proactive as it could be. In this regard the Media Council is perhaps hampered by a mandate which does not allow it to take a proactive role in bringing forward complaints. It must wait until someone has complained before looking into the issue.

So while this aspect of the interim regime's goal in setting up a Media Appeals Tribunal may be worthwhile, it doesn't need to set up a whole new set of processes to be so. The Media Council is made up of

industry members, public members and associate members, and this includes the Deputy Secretary of Information Major Neumi Leweni. We suggest that a far better approach, and one that will not end up costing the government anything, is to review the Media Council itself, including ways to streamline its processes and make its complaints mechanism more proactive and efficient — and ultimately more effective. We believe that self-regulation is the way to go. But we also recognise that our detractors believe that self-regulation makes the industry a law unto itself. It is necessary to remove these fears and allay all suspicions in this regard.

As such, the media must make itself more transparent and more accessible to members of the public. One way to do this would be for a review of the Fiji Media Council itself. The Council should open an office so it has a physical presence in the minds of members of the public. I am certain that media companies, including *The Fiji Times*, would be more than willing to pay for this to happen. Such an office would need staff, and that includes a Secretary to the Media Council who earns a salary — not just an honorarium. Any such positions must be advertised and the selection process should be as open and transparent as possible. This should be accompanied by changes to the rules governing the Media Council's activities.

Its members (and this includes members from industry, the public and associate members) should be given an oversight role for the media. This means that they (or their staff) could review media activities every day and raise any issues of concern immediately with publishers.

So while they could do what they do now, which is to receive complaints, they should also be able to flag issues as they happen. And this doesn't need to be just about news stories but also about advertisements, radio lyrics and television shows. Any adjudications must be freely and readily available to anyone who wants it. Another issue the industry must address is the fact that journalists themselves have no common body to cover their interests. In the past there was a journalist representative on the Media Council, but that is not the practice any more. Any review of media laws should take that into account as well.

We live in a time when the media industry is under increasing attack on several fronts — we exist in a time of rapid changes in technology which are reshaping the revenue streams of those in the industry; we have had four coups in the last two decades — and this has placed direct pressure on the way we operate; we have a high migration rate which includes highly trained journalists and the skills they offer; we have also over the past two years seen journalists and other news staff personally threatened

while doing the job that members of the public expect them to do. In such an overwhelmingly diverse environment, we simply cannot afford to have the media or the Media Council's complaints process being perceived as a lame duck or sitting on the fence on matters of major importance.

We cannot afford to let future generations down by drowning such ideals in administrative, legal and political to-ing and fro-ing over who controls what.

We as journalists owe it to the country to ensure that self-regulation works as effectively as possible. We must play our part. We cannot afford gaps into which governments are more than willing to step to rein in a free press and stifle the voice of the people. In our continuous search for the truth, these facts stand out: That we must stand for what we believe in – freedom of media; that we work to the utmost to ensure the human rights of others – freedom of expression; and that we are open to criticism and complaints and resolve these as quickly and transparently as possible. That's what being a journalist means to me, and to hundreds of other people who work hard every day to keep these ideals alive.

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