

SALUTATIONS

May I thank the organizers for their kind invitation to participate in this important and timely forum. It is fortuitous that we are having this dialogue on the heels of one of the biggest media scandals in history; one so monumental that it has resulted in the demise of Britain's largest circulating newspaper, the 168 year old **News of the World**. And, indeed, the reasons for this scandal are very much related to the subject of this symposium: The media and democracy.

For it was precisely the democratic rights of people to privacy and decency which were so viciously and unforgivably violated when their phone data was intercepted. The Press was supposed to protect the people's interests, not threaten them. The Press was supposed to enhance the rule of law, not callously trample it. The Press was supposed to be a bulwark against abuses, not itself become an instrument of abuse.

As a politician, I do not gloat over the failings of the Press. The failings of the Press diminish all of us and make all of us weaker. For the Press does, indeed, have a pivotal role to play in building and sustaining a healthy democracy. We can not afford for the Press to fail at a time when so many institutions are failing— and at a time when we need them to be strong to face the challenges we do face in this region.

The Press, as is taught in journalism schools, is supposed to provide a counterweight to Government and is hailed as the **Fourth Estate**. The Press is said to have a naturally adversarial relationship with Government, as its primary duty is to the people and it is, therefore, expected to be as independent as the Judiciary and the Legislature in protecting the people's interest and preserving democracy.

I am one politician who is not thin-skinned. I do not mind taking my licks and, in fact, I have taken many licks in the Press, and yet I still turn up to functions like these and try not to turn down your invitations. Am I a sucker for punishment or what? No, I recognize your role and my Government recognizes the critical role that you have to play— and I use the word **critical** advisedly. I believe in a vigorous Press. We all benefit when journalists do their jobs well and adhere to the highest standards of professionalism.

And even if that work offends some politicians, so be it. Once as a journalist you know you are being factual and fair, you don't have anything to worry about in a democratic society. I accept the dictum of Former US Justice William Brennan who made the following statement after that landmark **New York Times Vs Sullivan** case:

“Thus we consider this case against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust and wide-open and that it may include vehement, caustic and sometimes unpleasantly sharp attacks on Government and public officials”.

Once the **“unpleasantly sharp attacks on Government and public officials”** are justified, I say bring it on. If the attacks are justified, fair and balanced, politicians who are democrats at heart should live with it.

And for those of us in power today, it would do well for us to consider that we are not likely to be in power for all our lives and— not when you are as young as I am—and, therefore, one day we are going to need a vigorous and trenchant Press to challenge any future Government. We must not be short-sighted.

I can say that for my Government we have done more than merely give rhetorical commitment to Press freedom and unfettered investigative journalism. My Prime Minister has spoken out on several occasions of the need to tear down any firewall for corruption and secrecy provided by too restrictive libel laws. In our party manifesto, we promised that we would pursue a reform of our libel laws and after assuming office we established a distinguished committee headed by a man who has served the region well, Justice Hugh Small.

He has since given his report to the Prime Minister and this report has been studied by a bi-partisan committee of Parliament and its recommendations approved by Parliament.

The terms of reference mandated that committee to make recommendations for **“changes that will ensure transparency and accountability in the context of a new framework of good governance”**. Among the things which the libel reform initiative was supposed to accomplish was to:

- Prevent the suppression of information to which the public is reasonably entitled;
- Impose appropriate burdens of accountability on public officials holding positions of trust;
- And, support the principle of freedom of the Press.

The committee itself noted in its final report that, ***“at the commencement of its assignment, the Committee noted that the main thrust of the terms of reference was on transparency, accountability and good governance. It recognized the urgent need to give high priority to these principles in our public and private business culture”***. So in essence our libel reform thrust is about democracy promotion.

And my Government has gone further. We have, again in fulfillment of a commitment we gave to the Jamaican people, brought whistleblower legislation to our Parliament to protect people who blow the whistle on corrupt and crooked public officials, including politicians who betray the people’s trust. We want to make it easier for journalists to ferret out

information in the public interest and we want to protect conscientious public servants who facilitate journalists in that effort. Journalists have an obligation to inform the people and to get out the truth.

I was very happy to read the recently released **Freedom of the Press 2011** report from Freedom House and to note Jamaica's high standing. At a time when Freedom House reports that the proportion of the world's population that has access to a free Press declined to its lowest point in a decade last year, and when only 15% of the global population lives in countries where coverage of political news is robust and the safety of journalists is guaranteed; in that context I was happy to see that my country Jamaica had a ranking of 23 out of 191 countries surveyed; chalking up a rating of 18, just one point below the United States, and a point ahead of both Canada and Britain.

Of the nineteen countries in the Americas, Jamaica ranks fourth in terms of Press freedom. In Jamaica we have not just a robust but raucous and irreverent Press. And that's not a complaint by the way; just a statement attesting to our vibrant Press freedom.

However, the Press not only has rights but also responsibilities. And in the spirit of our open and honest dialogue here today, it is only fair that we spend some time talking about those responsibilities. For as the **News of the World** scandal so graphically illustrates, the Press can have its own narrow, self-centered and even corrupt interests too. We can't as a society interested in democracy become complacent. As the Romans asked insightfully, ***"who will guard the guards?"***

No democratic society can afford to give any one interest group any sacrosanct status. The Press must have checks and balances, too. It can't just insist on them for everybody else while exempting itself.

In this regard, I bemoan that years after speaking about the need for a Press Complaints Council, the Press Association has still not established one. Years after the PAJ itself did some very fine work on a code of conduct and justifying the need for a Press council, we still do not have this self-policing group.

For we must bear in mind that Freedom of Expression and Freedom of the Press is not necessarily the same thing. The late and esteemed journalist John Maxwell was fond of saying, and he was not original, **"freedom of the Press belongs to those who own one"**. The Press itself can become just another vested interest overshadowing or inhibiting freedom of expression.

Many persons, not just politicians have been aggrieved and hurt by the Press. What mechanisms for redress do they have? There are many who don't have the means to sue for libel. Some are maligned, ridiculed tastelessly depicted or stereotyped and they have no Press Council to which to appeal to get justice.

Ladies and gentlemen, members of the Fourth Estate, this situation cannot be allowed to continue.

I quote from the veteran journalist Claude Robinson who in his **Observer** column of January 16 “Libel Reform and Good Governance” praised the work of the Government in pushing for libel reform. He wrote that “the measures now being debated are a step in the right direction on the road to greater transparency and better governance... The Media Association of Jamaica and the Press Association of Jamaica must stop shilly-shallying and implement the revised code of professional practice which the PAJ has accepted.

“Now the media bosses must move to incorporating it into their operations. More important the proposed companion Media Complaints Commission or Council must be implemented without further delay.

This is what will give teeth to the code by providing the public with a body to which aggrieved persons can seek redress for journalistic violations...” End of quote. Claude Robinson’s call has still gone unheeded.

Ignoring politicians is one thing, but ignoring your own esteemed colleagues is not good enough, ladies and gentlemen. The Prime Minister himself made a plea to the media when he spoke in Parliament when the libel reform bill was passed in the lower house: **“We are appealing to the Press: Let’s see a reciprocal position being taken to ensure that the highest possible standards are maintained so that in our necessary zeal to protect the freedoms we have fought for so hard, we don’t create damage that in effect undermines the fabric of the very society that we are seeking to build”.**

To strengthen democracy and enhance the media’s role in that process, we have to ensure that while journalists and broadcasters are doing the necessary work of holding the politicians’ feet to the fire, that the media put its own house in order. A politician should not be defamed, maligned and stereotyped just because he is a politician. He has the right to the protection from prejudice, just like any other citizen. He has a right to fairness, objectivity and balance in any reporting concerning him. Is that an unreasonable expectation?

It cannot be right for journalists to work with criminals to hack into the personal files of a politician, as in the case of former British Prime Minister Gordon Brown, to publish the state of his baby’s ill health, just because he is a politician. Being a politician should not mean that you are fair game for any vicious attack by media. That’s this politician’s view and I am sure you share it.

It can’t be right to bribe police officers or the security detail of public officials to get information for a juicy story.

The Press cannot afford to be nonchalant about issues relating to ethics. I was quite pleased about to see the theme of your forum: ***Media and Democracy: A philosophical Introduction Election Coverage, and Transparency.*** Too often the philosophy is ignored

for the pragmatic and practical. As important as those are, you cannot ignore the overarching philosophical framework within which professional journalism must be conducted. I commend the CBA and the CBU for this focus.

Again I thank you for this opportunity for us to have this dialogue and now for the most interesting part, which is your questions and our interaction. I thank you.