

REMARKS

Hopeton S. Dunn, Ph.D.,

Chairman, Broadcasting Commission of Jamaica

at

Press Association of Jamaica (PAJ) Symposium on

ACCOUNTABILITY AND GOOD GOVERNANCE IN MEDIA

Jamaica Pegasus Hotel, July 14, 2010

'Role of the Regulator in Ensuring Standards in Media'

PAJ President, Mr. Byron Buckley,

Colleague members of the Panel,

Distinguished guests, practitioners, friends all:

It is my pleasure to be here to present remarks on behalf of the Broadcasting Commission and in my own right at this Symposium which foregrounds the very timely and relevant issues of Accountability and Good Governance in Media. I wish to first congratulate the Press Association of Jamaica on convening the event and on its 67th Anniversary. You are among only a very small number of professional organizations globally with this extended lifespan and venerable heritage.

The Changing Media Landscape

Ladies and Gentlemen, in 2010, the media surround us in all forms. One can hardly walk for a few minutes in our urban centre without being bombarded by billboards, video-boards, bus ads, posters, blackberrys, newspapers, and content sources of all types. Due to digitization of media content and the miniaturization of media tools, formatted and even live media content is everywhere. In the era in which we now live it can be said that ALL MEDIA ARE NOW ELECTRONIC. All media will be digital, except the unmediated spoken word.

Increasingly, media content is electronically assembled, produced, distributed, received and consumed. Where we have used “electronic”, we will have now to use “digital”. Newspapers, magazines, TV Shows, movies have been digitized and are available at the touch of a button. Paradigms of openness, information sharing and user-generated content are becoming increasingly popular. Citizen media and social networks are defining for many of us a cultural shift in norms and attitudes related to content. We have to look to see how we may engender the flexibility and professional standards required for this next generation of media content.

Standards: A Key Issue

Last week the Broadcasting Commission brought together Caribbean media providers, policy makers and regulators for a “Regional Forum on Policy and Regulation in the Electronic Media Sector”. At the forefront of the discussion was this very issue of Standards and the steps needed to effectively regulate the existing and new delivery platforms. In this regard, we will be seeking the necessary powers to further improve competition in the visual media sector, in particular through the licensing of IPTV. The regulation of this new format is already underway in Trinidad and Tobago and soon to be implemented in Barbados among many other jurisdictions. This will be a part of the new media policy being developed to address emerging areas of the industry. Prospective providers of IPTV deserve to know that it is our intention to bring this form of output within the regulated sector.

In this emerging framework, we also need to assess and improve our industry's capacity to deliver high-end content globally in a diverse environment while upholding integrity, authenticity, intellectual property rights and copyright laws. Training is essential in achieving these ends. But it is also the human compass of right and wrong which should be inculcated among our media practitioners. Can we have a return to the Saturday morning seminars for practitioners to rap freely and learn from their seniors of the industry?

BCJ's Historic Directives

At the BCJ, we are doing what our mandate allows. July marks one year and five months since the Commission introduced three directives which expressly prohibit a range of intolerable content that was being purveyed through radio and television to the detriment of the Jamaican music, broadcasting industries and society.

We are satisfied that as a direct result of the decisive introduction and implementation of the directives, as well as through the active on-going enforcement of the Children's Code for Programming, there has been significant progress in the quality of the output on electronic media nationally.

This is evident from the Commission's Complaints record. For the period April 2009 to March 2010, the Commission received sixty-nine (69) complaints. This was a decrease of forty-seven percent (47%) when compared to the previous period.

The Commission is also aware, that some media houses have strengthened their own internal monitoring and self-regulation. The music sector, for its part, has also started to reset the kind of recorded content being produced for airplay.

But others continue to test and we will have to deal with them accordingly. We will maintain our resolve to keep the airwaves clean.

The Commission continues to be guided by the principle that the responsibility for media content is to be held by the media content provider, the regulator and the citizen, and so we are paying attention to the interplay among all these stakeholders.

This is how the regulatory process is meant to operate and the Commission's firm and balanced actions have been vindicated by both public and industry support.

So far this year, the BCJ has already embarked on an active renewed programme of public education, using all forms of media to encourage media literacy, parental responsibility and to enlist continued citizen vigilance towards maintaining acceptable standards on the airwaves. Our citizen media monitor programme continues in all parishes through training of volunteers and their deployment into action.

Pending Regulations

There are also pending regulations to further improve the quality of output and ethical behaviour of our licensees. These include requirements for broadcasters to inter-alia:

- i. take all reasonable steps to treat trauma survivors and/or traumatised relatives in a manner which preserves their dignity and is not harmful to their mental and physical well being;
- ii. not interview child survivors of, or witnesses to, traumatic events without the express permission of a parent or guardian;

- iii. take due care over the physical and emotional welfare and the dignity of people under eighteen who take part or are otherwise involved in programmes. This is irrespective of any consent given by the participant or by a parent, guardian or other person over the age of eighteen in *loco parentis*.
- iv. Ensure no transmissions that condone or encourage hostility or violence against individuals or specific minorities and social groups, including those based on gender, sexual orientation and disability.

There are also proposed regulations to deal with payola and we have requested to meet the law enforcement officials on this matter, as payola also falls under criminal law. But internal station arrangements must also be changed to combat new forms of payola. We have therefore recommended new regulations which would require licensees to:

- i. Designate a staff person as the officer responsible for control of media output in accordance with the licence;
- ii. Ensure that compilation of music charts is in accordance with a methodology approved by the station; and
- iii. Maintain for examination by the Commission and accredited rights agencies all play lists and programme logs of music played.

We suggest that stations consider going further by adopting FCC type rules which require that employees of broadcast stations, programme producers, programme suppliers and others who have accepted or agreed to receive payments or other valuable consideration for airing material, disclose that fact, and let their audiences know if material was paid for, and by whom.

This provision is consistent with the Media Code of Practice subscribed to by the PAJ and the MAJ.

Self-Regulation

Another area of concern has to do with broadcast management and self-regulation. Media, on their own volition, must commit to keep quality output and ethical standards.

The Broadcasting Commission's draft electronic media policy (not yet published) acknowledges that licensees could develop a realistic framework for the application of standards with the regulator playing a key role in setting the criteria.

Suffice it to say, the Broadcasting Commission remains very clear about its mandate to maintain standards, always mindful of the public interest and the need for an evidence based approach which takes account of shifts in social norms.

The PAJ Code of Practice

We welcome the Press Association of Jamaica's Code of Practice to replace the PAJ Code of Ethics of 1965 – a document marking its own 45th Anniversary this year. The spirit of the Codes should be alive in the minds and professional lives of PAJ members and media practitioners. Maybe neither the 1965 code nor its newer incarnation is widely enough known and sufficiently widely available, even online.

The PAJ should conduct popular education among practitioners about ethical practices. As I suggested earlier an in-service mentorship programme and regular seminars for new entrants to the profession could become the norm again, with professional promotion depending on successful participation in these regular sessions.

Conclusion

In concluding, the Broadcasting Commission of Jamaica is keen to continue work towards the improvement of standards in the Jamaican electronic media. We have come a far way together especially in the past couple years! We remain committed to remaining vigilant and to keep moving the country forward on media standards in the digital age, taking full account of the perspectives of our licensees and especially of the wider public.

Thank You!