

## **2.9. Deputy F.J. Hill of St. Martin of the President of the Chairmen's Committee regarding allowing members of the public to film at scrutiny hearings:**

Will the president advise whether the Chairmen's Committee has decided to prevent members of the public from filming at Scrutiny meetings and, if so, will the chairman explain why the decision was made, what consultation, if any, took place and does the chairman consider his Committee's decision conducive to the principles of openness and accountability?

### **Senator B.E. Shenton (President, Chairmen's Committee):**

The matter came to light when a member of the public that runs one of these blog sites asked to video a Scrutiny meeting. We discussed it at the Chairmen's Committee and looked at what other parliaments do around the world and the general rules from other parliaments were they did not allow videoing. However, we felt that we should try and be as open as possible and the protocol was decided that, if we are given 3 days' notice and we get the agreement of the Chairmen and the people taking part in the Scrutiny hearing, then they could video the hearing. One has to bear in mind that when I was on Scrutiny, during some of the matters that were being discussed, I remember on 2 occasions members breaking down when recounting very personal experiences and I think the last thing anyone would want would be a member of the public sticking a video in their face. We have referred the matter to the Privileges and Procedures Committee for further consideration because of course you have to look at the whole aspect of videoing and blogs and so on and so forth. We are moving into a new media age and I am standing here today and there is no one in the public gallery videoing or recording me. In fact, there are no television cameras allowed and I think the whole matter needs reviewing. It is not just isolated down to Scrutiny. It is a much bigger area. The information age is changing and we need to have a look at it.

### **2.9.1 The Deputy of St. Martin:**

I welcome the answer because this is going towards the right way but I would like to ask the president does he have any idea of the timetable as to when this will be discussed and, in the meantime, will those people who would like to film be able to carry on doing so until they are told not to?

### **Senator B.E. Shenton:**

As I have previously mentioned, if they wish to video a Scrutiny meeting, providing they give us 3 days' notice so that we can contact the witnesses and, providing the witnesses have no objection, then they can video the hearing. The matter, hopefully, will be discussed by Privileges and Procedures fairly quickly. It is one of these issues where it looks very simple at the start but when you start digging deeper, it is a much bigger issue. As I said before, we are moving into a new information age. We cannot ignore the bloggers and the internet and we have to make sure that the rules fit for the future and not get stuck in the past.

### **2.9.2 Senator S. Syvret:**

I was disturbed to hear the chairman say that there had been some upsetting incidents before his panels. I would have personally thought that, were there any matters of personal sensitivity of the kind that might upset individual witnesses and members of the public, they would automatically be heard in camera, I would assume. I certainly

would not wish members of the public who are vulnerable to be exposed in that way. That is the first question.

**Senator B.E. Shenton:**

Obviously, when we are holding Scrutiny hearings or any hearing, you try and deal with the facts but if you are dealing with experiences of income support and so on and so forth, sometimes you can get down to fairly distressing aspects, so I agree with the Senator wholeheartedly that the thoughts and the views of the witnesses have to be taken into account and, obviously, if we had thought that there was going to be a breakdown, it would have been held in camera anyway. As it was, there were no members of the public present at this particular hearing even though it was a public hearing.

**2.9.3 Senator S. Syvret:**

The second question I was going to ask is the chairman has said the matter is under review. Will he give the Assembly an assurance now that, whatever the final decision that is arrived at, it will be applied on a level playing field basis so that independent journalists will not be discriminated against and the rules and restrictions will not apply to commercial media?

**Senator B.E. Shenton:**

It is very difficult to draw a distinction between accredited journalists these days and the bloggers. As I said before, last night, for example, in the media was the fact that the local newspaper industry is dying in the U.K. because people are moving towards the internet and blogs. Some of us might not particularly like blogs but they are certainly here to stay. They are the media of the future and this House has to have a look at the whole way it communicates with people going forward and this is a very important piece of work that the Privileges and Procedures Committee have to undertake and I would hope that most Members will give input into how they feel the media access should be given or access to the people should be given going forward.

**2.9.4 Deputy M. Tadier:**

I will not comment too much on the rights and wrongs of this particular case as I am on P.P.C., save to say that there are those who think that this kind of action is an attack on freedom of expression and the freedom of the media. The question I want to ask is very simple. Was a vote carried in the Chairmen's Committee and, if so, could the Senator give us the breakdown of the vote and if there was no vote, why not?

**Senator B.E. Shenton:**

We went around the Chamber and it is pretty obvious that the Committee was fairly split. We did not hold a vote. The minutes are available now on the website and they were placed on the website, I think, yesterday. Rather than sort of make it black and white or yes or no, we were trying to work towards a compromise and the compromise was very much to allow videoing with the agreement of the witnesses and with the agreement of the chairman. One should bear in mind that we did run this past some of our colleagues in the U.K. that we have come to this decision and they were horrified that we were being so open, so we are making a step in the right direction.

**2.9.5 Deputy G.P. Southern:**

Will the Minister accept my support in maintaining the principles of Scrutiny that it should be a process which takes place in public and, therefore, videoing with notice and with permission is absolutely acceptable and the way forward?

**Senator B.E. Shenton:**

I wholeheartedly agree and, as the Deputy may well know, I have my concerns about the access of Le Capelain and Blampied rooms for members of the public when we are holding Scrutiny hearings. As I mentioned to Senator Syvret, we did have a hearing where someone broke down and no members of the public were present. Unfortunately, that is quite often the case that we do not have members of the public present. The Public Accounts Committee are looking to hold a hearing to do with the incinerator hedging issue. We are looking to hold it in the Town Hall and it will be interesting to see if we have more members of the public attending if it is in a more accessible place.

**2.9.6 Deputy C.F. Labey of Grouville:**

A previous questioner made the case for freedom of media. Does he not agree that there is a case to be made for freedom of individuals not to have cameras stuck in their faces?

**Senator B.E. Shenton:**

I wholeheartedly agree, which is why the protocol as it stands is that the witnesses still have to agree to allow the videoing of themselves. Obviously, if they have no objections, then the videoing can go ahead.