

Witness Statement

Jim Boumelha

6th June 2012

IN THE LEVESON INQUIRY INTO THE PRESS

WITNESS STATEMENT OF JIM BOUMELHA

I am Jim Boumelha, and I make this witness statement from matters within my own knowledge, save where I identify otherwise. Where I report that which others have told me, I believe that which I report to be the truth.

1. I am the elected president of the International Federation of Journalists, the world's largest organisation of journalists. First established in 1926, it was relaunched in 1946 and again, in its present form, in 1952. Today the Federation represents around 600,000 journalists in more than 100 countries. I also work as a journalist in the UK, based in Oxford, and am a member of the NUJ's National Executive Council.
2. In my role within the IFJ I am very familiar with a range of regulatory systems around the world. Such Media Accountability Systems (MAS) which include press councils as well as other institutions, such as media observatories, have been a key component of the ethics of journalism. The Donald W. Reynolds Journalism Institute framed one of the best definitions of a media accountability system as "any nongovernmental way that encourages media organisations and journalists to respect the ethical rules set by the profession. All media accountability systems aim at improving news media, but they are extremely diverse: codes of conduct; ombudsmen and media-oriented non-governmental organisations; processes, academic research and ethical audits. Some are born within the media (like a correction box); others develop outside (like a journalism review); and then some involve the cooperation of media and public (like a press council)." (Claude-Jean Bertrand, 2002).

3. For over half a century, press councils have provided the main recognised framework of media accountability operating in all forms of media, now increasingly involving new media. The bulk of the 60 press councils currently in existence in countries all over the world – they can be found in all Nordic, Germanic and Anglo-Saxon democracies as well as in countries as diverse as India, Chile, Israel, Tanzania and Estonia – are grouped in pan-continental bodies such as the World Association of Press Councils (WAPC) or the Alliance of Independent Press Councils of Europe (AIPCE) which brings together some 35 councils.
4. Some have existed for a long time in European countries like Germany, the Netherlands and the Scandinavian states – the oldest being the Swedish council founded in 1916. In others, self-regulation has only been recently established, as illustrated by the case of Belgium. In places like Austria, France or Portugal, press councils have not yet been created, or they once existed (American National News Press Council) but are no longer functioning. In the case of South East Europe, press councils have only recently sprung up in Bosnia and Herzegovina, Bulgaria, Montenegro and Kosovo. The most recently established is the Press Council of Ireland set in January 2008.
5. Press Councils are self-regulatory bodies set up by the media themselves – although they are normally given a high degree of operational independence in order to maintain public confidence. They oversee Codes of Practice which set out both professional standards for journalists, and a set of rules under which people featured in the news media can complain if something is inaccurate or intrusive.
6. Press Councils represent a form of corporate responsibility which allow people to complain for free and without legal representation, and can help generate trust in the quality of news.
7. In most countries, these councils operate in a system underpinned by a statutory framework when it concerns broadcasting and voluntary self-regulation for the press. Recent changes in the media landscape where contents is delivered on different platforms have introduced new challenges for the traditional accountability systems.
8. Press councils are usually multifunctional in order to adapt to highly differentiated cultural contexts at various levels of society. They differ from one another as they set out to oversee the 400 codes of conduct in operation in various countries. Ideally they should gather and represent all the players: those who own the power to inform, those who possess the talent to inform and those who have the right to be informed.
9. The cooperation of these groups is usually crucial to the routine work of the councils and their achievements – the proprietors accept the involvement of their employees and the journalists recognise that

consumers and users may have a say. The Swedish Press Council, for example, was first set up by the Publishers' Club, the Swedish Union of Journalists and the Swedish Newspapers Publishers Association. In Germany, publisher and journalist associations – Bundesverband Deutscher Zeitungsverleger e.V. (BDZV), Verband Deutscher Zeitschriftenverleger e.V. (VDZ), Deutscher Journalistenverband e.V. (DJV) and Deutsche Journalisten Union in Ver.di (dju) – came together to form the "Trägerverein des Deutschen Presserats e.V." (the association of sponsors of the German Press Council).

10. The Netherlands Press Council (www.rvdj.nl), established and maintained by a foundation called Stichting Raad voor de Journalistiek, brings together all important media organisations, including the Netherlands Union of Journalists (Nederlandse Vereniging van Journalisten); the Netherlands Society of Chief-Editors (Nederlands Genootschap van Hoofdredacteurs); the Netherlands national news agency (Algemeen Nederlands Persbureau); several co-ordinating organisations of the printed press, the public and commercial broadcasting and the Internet organisation Planet Internet.
11. In other instances the setting up of press councils was prompted and steered by regional institutions such as the Organization for Security and Co-operation in Europe (OSCE) operating in 58 countries in Europe, Central Asia and North America, although the work of the OSCE Representative on the Freedom of the Media in promoting media self-regulation has been most prominent in Southern Eastern Europe and Central Asia. Media professionals got together in several countries to fulfill the conditions needed before setting a press council – what are the basic duties of press councils and how to set them up, what kinds of sanctions should be used, how to establish the right to complain, how they should be funded, etc. (*OSCE Media Self-Regulations Guidebook*, 2008).
12. Some of the most difficult arguments in setting new press councils in these countries have been about the role of the law. Apart from broadcasting which, because of the need to control spectrum, has always been under the guidance of state institutions, it is generally accepted that laws should be enacted to protect rather than prohibit, such as laws that guarantee free access to government information and protect journalists from being forced to disclose confidential sources of investigative stories.
13. Another distinct way of organising press councils emanates from Denmark and Austria in which self-regulation is underpinned by legislation. It introduced the principle of judicial reviews in cases where employers refused to accept judgements. In Denmark, the press council is an independent, public tribunal that deals with complaints against media but its decisions are based on the "Advisory rules of sound press ethics" which form part of the Media Liability Act (Section 34(1)). It consists a Chairman and Deputy, appointed upon

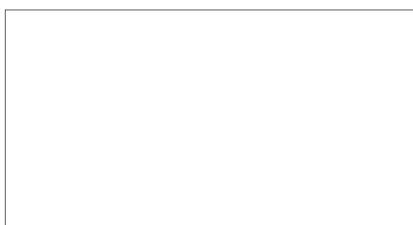
recommendation by the President of the Supreme Court, two members to be appointed upon recommendation by the Danish Journalists' Union, two members representing the editorial managements upon recommendation by the media, and two members to be appointed as public representatives upon recommendation by the Danish Council for Adult Education.

14. The independence of press councils is another debateable issue although there is a general consensus that, to be credible, press councils should allow examination of all points of view and therefore should include representatives of all stakeholders – journalists, editors, media owners and members of the public – all dedicated to championing the concept of self-regulation. In many countries board members are nominated through a democratic procedure which allows voting by the professional community and media outlets that have signed up to the code of ethics. Members are sought for their personal and professional moral integrity rather than any law-related knowledge.
15. Another measure of the independence of press councils is their funding.
16. Ideally, there should be a diversity of sources of funding, with the largest contribution being made by the media industry, as in the Netherlands or Sweden, or shared equally by owners and journalists, as in Norway. However, in some countries, such as Switzerland, funding is provided only by journalists. In countries in transition or in the early stages of developing self-regulation, a major role is played by international donors like in Bulgaria and Bosnia-Herzegovina. In other countries such as Germany, the press council accepts grants from the state, but only in specific instances. The state also makes contributions in the Luxembourg and Cyprus.
17. In many countries funding can involve income from membership fees or fundraising campaigns. In these cases this income is made clear in annual reports made accessible to all members of the press council. Moreover, clear rules are enacted to ensure that decision-making is in no way connected with funding.
18. Once set, voluntary regulation is most credible when press councils can ensure transparency and adequate disclosure such as easily accessible databases of all the adjudications. Credibility is also measured by their ability to enforce sanctions which the media is obliged, by voluntarily joining the system, to publish. Some sanctions, like in Sweden, involve financial penalties, but other systems avoid fines as they tend to be legalistic and confrontational, involving lawyers arguing over the size of the penalty.
19. The Dutch Press Council resolves disputes by acting as a mediator and issue opinions. If mediation fails, complaints, lodged by an individual or an organisation, are taken up by the Council. The hearings are usually held in public and are announced in a press release approximately one week prior to the hearing. The decisions of the

Netherlands Press Council are published in full on the Council's website and a summary in *De Journalist*, the trade journal of Dutch journalists.

20. Whatever their differences, all these systems endeavour to have a common goal - to build trust between media and its audiences. With new media converging print and broadcasting as well as using new tools such as social media and Twitter, press councils are examining everywhere ways of extending their responsibility.

Signed....



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