

Independent Jersey Care Inquiry

Review 2019

IJCI Panel Roundtable Discussions

At St Paul's Centre, St Helier, Jersey

on the

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Panel Members

Frances Oldham (FO), IJCI Panel

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Session Participants

James Filleul

Andy Sibcy

Rico Sorda

Neil McMurray

Mike Dun

FO: Good morning, everyone. To those in the hall as well, good morning. Within this session, as you know, it is seeking the assistance of the media, mindful of what has happened since the report reported on 3rd July 2017. The purpose of us being here, the Panel, is a review. We are not revisiting matters that fell within the original terms of reference. We are not discussing individual cases, for reasons I am sure you will all understand. The focus for today is on the period 2017 to date, to identify what progress has been made in that period since the eight recommendations were published. As I say we are reviewing that period, not matters or issues in the period before the historic because that was dealt with in the full report, which I am sure you have all read.

Now we have identified topics for discussion in this meeting today. I am just in a moment going to go round and ask everybody to identify themselves. I am sure most people know, but again that is for the record please, and then we will address those questions, because what we seek is a constructive submission approach from the press that will help everyone in Jersey. There are positives. There are still concerns that we have been hearing. We have met with over 160 people last week. There is still work to be done but there is a lot of work that has been done. So it is a balance, a constructive balance that we are looking for.

So have said that, the only other issue that I would say is a matter of housekeeping. If the fire alarm goes, only exit through that door, down the stairs, out the main door and gather in the car park. Please turn off your mobile phones. Please respect our request for no recording or recording devices. Please turn off ... and I see everybody nodding. So with that, can I turn then to ask you, perhaps starting to my left?

JF: Sure, so my name is James Filleul. I am the owner and editor of Bailiwick Publishing which includes Bailiwick Express.

FO: Thank you, James.

AS: My name is Andy Sibcy. I am the editor of the Jersey Evening Post.

FO: Thank you.

RS: Rico Sorda, I own Rico Sorda Blogspot and Team Voice.

NM: Neil McMurray, voiceforchildren.blogspot.com and Team Voice.

MD: I am Mike Dun. I am called a blogger. It is not my choice of words. I am following in the tradition of Abraham Le Cras. I am a campaigner.

FO: All right. Well thank you all. Can I start with the first question then?
You have seen our list of potential questions and we will develop the discussion from there. So what have you seen that is different in the last two years in services affecting children and families? Children and families. So can I start with you, James?

JF: Yeah, I mean in terms of the actual services I am not qualified to comment on that. I do not have any personal experience of the services myself. In terms of the media, then obviously there was a lot of reporting around the publication of your report a few years back, which was thorough and comprehensive, both across the traditional media, social media blogs, everything. You know there was a lot gone into, and that has continued in part over the last two years, although I think probably in the last ... as time has gone on that has probably dissipated and then it has needed specific instance or examples to kind of generate it again. So I think from a media point of view the interest is still there. The concern is still there. It is just whether or not it is front of mind, kind of top of the agenda. So I think from a media point of view it has been a story which has been covered exceptionally comprehensively and will continue to be so. But I think that is all I would like to say in terms of an opening comment.

FO: All right, thank you. Andy?

AS: I would echo James' opening remarks. I do not feel particularly well placed to comment on the way services have or have not improved, although we reported on the reports that they have not. What I would say is the narrative has changed tack or the control of the narrative has changed tack in a sense that there has been acknowledgement in a way that marks a contrast to previously of failings. I see that as part of a broader tapestry of government seeking to perhaps exploit mistakes in the past in order to push through reforms as they are now across the public sector. So it remains to me seen whether that expression of what has happened before translates into positive action, and I think the jury is out on that. So we have had lots of statements of ...

FO: So are you saying a new work in progress?

AS: Well I hope so.

FO: Yeah, yeah.

AS: Certainly that is the impression we are being given and what we are being told we should believe. Whether that is true or not, I cannot tell you.

FO: Well only time will tell.

RS: I have got a few things to say about that.

FO: Okay, yeah.

RS: First of all I think it is shame that this is not being filmed today because I think the media should be open to filming, and I think we should have been asked if we minded. I certainly would not have and I think it would have been great for transparency. Also the media plays a very important role in the question you have just asked. Do they report it? Can they go in depth on it? I do not know how you can move forward to 2017 without addressing the past. The past of the media from 2008 onwards has not been addressed. It was not addressed in the Care Inquiry.

FO: Well, Rico, I have made clear what the premise of this meeting is.

RS: Yes, because the media has a very important role.

FO: Yes.

RS: They have an important role for any survivor of abuse, any victim of abuse, to report it, investigate and bring it forward. That did not happen and I would say that was a failure. That is why we are here and that is why you are here. And if that is not addressed how can you move forward? I find that quite hard. I mean this is not to have a go at the media that is here, but they have failed in the past and now you want them to, you know, come forward and represent. They should be asked to explain what went wrong in the past and why it went wrong, and I believe the Jersey Post should apologise to all victims of abuse for what happened in their reporting, and that is just my statement

FO: Rico, I am going to stop you there.

RS: Okay, but I just want ...

FO: This is not ...

RS: I know that it is very important because I do not believe we can move forward ...

FO: We all can learn lessons from the past.

RS: That is right but it has to be addressed.

FO: Our purpose here today, our remit is to review what has happened since 2017.

RS: I understand that.

FO: And if we do not address that then we will leave this room.

RS: Yes, I know, okay. But I will just say it is about the safety of children at the end of it.

FO: Of course, and that is why we are back.

RS: Yes.

FO: That is why we are here. So please let us focus on ...

RS: The media plays a ... okay, well I just want to ...

FO: ... what, if any, progress has been made, what concerns still remain ...

RS: That is all my concerns.

FO: ... and how those concerns might be addressed and how the media, not just Jersey, but the world might assist in that task. So please let us concentrate on the reason for this meeting today.

RS: I just had to get that out.

NM: I think to a certain degree as well, I will not go over what he said, you know, but I will make the point, if you do not address the failures of the past you are doomed to repeat them. That goes without saying and I think it is an outrage that is not being addressed. It has gone, forgotten, and the media have got a hell of a lot of answering to do for the way they reported during Operation Rectangle.

As far as the question goes, question one, what have we seen different in the last two years in services affecting children? Well nothing at the end of the day, and I make this clear in the evidence I gave to the Care Inquiry. It is a box ticking exercise that we have seen. You have seen people scurrying around saying, "Oh, well we've got a Children's Minister." Yes, we do. We have got a Housing Minister and our housing stock is in a hell of a mess. We have got a Health Minister. Our health system is on the brink of destruction. So it was a box ticking exercise. I have seen no difference. We have got a Children's Commissioner. Well, so what? Who is he answerable to? What has changed?

You know, what is different here is the question you are asking. Well just recently it was reported up at Greenfields ... I do not know if you have seen that report ... of wrongdoing going on up at Greenfields, which was mentioned in the evidence to the Care Inquiry, where a witness gave evidence saying that she was instructed to shred evidence of the Grand Prix system. Well none of this was mentioned in the media reports, sort of thing. So what I am saying is the original whistleblower, Simon Bellwood, and former Senator Stuart Syvret, Health Minister showed these failings in Greenfields back then. But it is still happening now. This is the problem.

FO: Neil, you have the point that I made to Rico.

RS: Yeah, yeah.

FO: You have attended several of the meetings. You know our purpose here. I can see members of the audience nodding. Can we now address the questions?

NM: I thought that was the question. I was addressing the question. What have you seen different in the last two years?

FO: And you say nothing and you make the point about the Children's Commissioner and Greenfields.

AL: Neil, can I ask, in terms of, you know, the comments that come on your blog and obviously people knowing what your interests and stop and approach you. What kind of feedback are you getting that way from people who are actually experiencing services and so on?

NM: Well I think the majority of my readers are, if you like, they are progressive. They are people who have been had over by the establishment and the rest of it. They are not convinced. I do not know, you obviously read the blog yourself. You will see the comments. There is not a lot of people who are convinced that anything has changed.

AL: Yeah, yeah.

NM: The Jersey way is still here, alive and well. So I think predominantly the comments you get on my blog is that nothing has changed.

AL: People sense that nothing has changed. Thank you.

NM: Okay.

SC: Can I just ask before we come to Mike?

FO: Yes.

SC: In that perception of "nothing has changed," is that people actually thinking nothing has changed, or that they do not understand what things like the Children's Commissioner are there to do?

NM: No, I think they can see things have not changed because we have still got an Attorney General that wears about three or four different hats. He is the guy that advises the Executive and decides what gets prosecuted or not.

SC: Right.

NM: So basically the structure that allowed all this abuse to happen over those decades is the exact same structure as we have got now, and we can see that. We have got unelected Bailiff, unelected Deputy Bailiff, unelected Attorney General, Solicitor General. Nothing in that respect has changed. We have got a couple of box ticking exercises and we have got, you know, a Commissioner. It means nothing. It is nothing, you know? And again in my evidence to the Care Inquiry I suggested

that you were bold and looked at understanding paedophiles, what makes them operate, what makes them work. The same model is still in control now. They are waiting for children to be abused and they are imprisoning paedophiles. Why do they not understand a paedophile, stop him abusing our children, stop them sending them to our prisons. So, yeah, nothing has changed. The mindset is exactly the same now as it was back in the 1920s.

AL: Which I think again the point you raise is a really important point and it is one that it is not just sort of applicable to this jurisdiction. But a lot of people in different jurisdictions are questioning huge investment in investigating, identifying sort of, you know, child sexual abuse for example, but very little investment in let us try and understand the causes. I think it is a timely point which is on our horizon, yeah.

NM: It was in my evidence to you.

AL: Yes, yes.

AS: Could I make a general point about that?

FO: Yes of course, Andy.

AS: And it is not in relation to Neil's blog as much to do with the JEP and the people who comment on our site

FO: Yes.

AS: ... and indeed our letters (?) page to seek to establish what public opinion is from the commentarial is a very dangerous thing, because those people phone in anonymous often, and very often they are people whose record has got stuck in the same groove and no matter how much change comes through, they will simply plod the same path over and over again. I say that in relation to comment about the JEP.

Now I am not going to comment on the past. I believe that JEP has changed somewhat under the managership but

FO: And I see a lot of nodding.

AS: That is very kind of you, Neil.

NM: You know, look I do not want to be at war with these guys.

AS: We are not at war.

NM: I give credit for them turning up. At least they had the courage to turn up. Where is BBC? Where is ITV? Where are they? At least these guys turned up.

FO: So anyway, Andy?

AS: What I was going to say was that on all media, and with all manner of publishers, you get the same people who are absolutely hell bent on

holding on to views and they will be wholly out of touch with the way things are now, and that is in relation to child abuse, in relation to JEP.

Probably from my side that is in relation to Rico and Neil, who were cast as villains by some in the past, we are cast as villains by some on the other side, and I have to say that the people around this table, I believe, have gone on a journey and made significant steps actually. So just a note of caution, that you actually give much credence to what is said on some of these comment forums.

FO: That is why we recognise that. We have invited you here today.

AS: Absolutely, yes.

FO: And we want your constructive input as to how your strength can be used to go forward and protect children.

AS: Absolutely.

SC: It is an interesting issue in terms of is there a kind of ethical dilemma for editors in terms of the commentarial, as you say, of what you publish or do not publish. To some extent there is a bit about the kind of freedom of expression. So do you that, and to what extent do you look to try to say this is the same line all the time so we are not going to publish those?

AS: I think that is out of my direction, to be honest. You know, we have to provide platforms for people to have that debate, and save for them calling me a whatever, or Neil a whatever, we probably had it rough (?), you know.

SC: Yeah, of course.

RS: And I would say, you know, JEP has definitely been better since Andy has taken over. I have no doubts about it.

SC: Yes.

RS: And they have covered stories which they never used to have in the past concerning child abuse and things like that.

NM: What I think we ought to sort of mention now is we were always at war with the JEP, and all the mainstream media. They were at war with us. It was from both sides. I think that we have gotten a lot of better and they have seen us ...

FO: And you are sitting around the same table.

NM: They seen us as the enemy. We saw ...

RS: We do shout sometimes.

AS: It is not a personal thing.

FO: That is human nature.

NM: But the thing is, and this is where it needs to stop, is we all need to try and work together on this rather than being enemies, and we have all made great strides along those ways. But the problem, that there is that provide. The mainstream media, I think, are, "No, we don't want anything to go with the bloggers," and the bloggers ... but, you know, there is a lot that we could and should be working on together. They need to be holding their hand out. We have held our hand out.

FO: Point noted, Neil, and it is a good point. So can I come to the next question? What media ...

MD: Can I have a say?

AL: Yes, Mike.

FO: Sorry, Mike.

MD: You published a remarkable report. One thing about that report that the public knows how much it cost, and I blame the media to a large extent for the failure of making ... there is enough material in your report to give the media stuff for the next 100 years, and they have failed. I mean you have seen the number of people that are here today. You know everybody who is in this audience. They have not attracted any public concern. They have not done so. It should be an enormous issue. It is not, and I think that is very largely a failure of the press. It is a system failure of the press generally but specifically in a little community like this where the press is powerful and has got the ability to change things when it wishes to do so, on this one it is just totally part and parcel of the Jersey way.

On the radio yesterday ... they are not here today ... the BBC were publishing exactly the same reports of the hearings you have been having now. You would think everything was wonderful by what they were saying and that is the PR approach of loving Jersey, all this stuff, punching above our weight. All these little cliché expressions which the press use all the time to gee people up, pick us up. Everything is wonderful. There is nothing to worry about.

The finance industry is wonderful. That is the central issue. That is the central image and they do not want to tarnish that as we knew years ago from when it was a media issue, when the national media got hold of it. Oh, we must protect, we must not tarnish our image. And these guys they move around from one journal to a radio to a PR in business, they move around, the same guys, promoting PR. That is what they do. They are PR.

FO: Mike, the point is again noted, but can we now come back to why we are here and you are actually sitting round a table being prepared to

discuss it. Let me ask you this question. What media campaigns and/or reporting in the last two years ... in the last two years, all right ... since the publication of the report, since the clear recommendations have been laid before the public and all the professional bodies, what media reporting has had an impact do you think? Andy, let me start with you.

AS: Well we have reported all the official, obviously the official stuff that comes out of government. That is highly controlled. We had a reporter, who is no longer with us, who did some work on Greenfields and that was instrumental in Mr Collins succeeding and getting a compensation scheme going.

FO: The address scheme, yes.

AL: Yeah.

AS: Yeah, and I suppose what we learned from that is that there is still ... I mean for us it is about trust. For whatever reason a lot of people who have been through the care process do not trust the JEP to be a voice for them, which hampers our reporting actually, and that narrative is reinforced by comments around that, that is not helpful. But when we did make inroads into this and we did actually get them talking to us, it was like a floodgate opening again. So actually once people began to feel that they could tell us our stories, very definitely it became quickly apparent there is a huge amount of pent up issues that are being reported on. Sorry, so that does not really answer your question.

FO: No, it does, I think.

AL: And you talked about, you know, material coming out from the State being controlled. Can you elaborate a little bit on that?

FO: Yes.

AS: It is a loaded question, is it not?

AL: Yeah, yeah.

AS: There is a pretence in government I think that some how reforms have created a new way of doing things in Jersey, and part of that is to reform communications and to enable the flow of information that allows for proper conversation and critical evaluation, because the information obviously is key to that. I think that is utterly false. I think we have seen more control over information and media now, that I have noticed, that I have had in 20 years of working with JEP, without going into PRLS(?). Yeah, I think that would be my view.

RS: I did read the Greenfields report. I was just going to say ...

FO: Can I just say this just records? It does not amplify so if can you keep your voice up because I can see some people in the back are having difficulty.

RS: Yeah, okay. But it is very hard for me on that question, because no disrespect, I do not read the JEP so I do not know what ...

AS: Occasionally you do.

RS: Yeah, unless there is something ... you know, one in a while there is something worth reading. But, you know, that is how I have always been but, you know, a lot of people do read it.

FO: Yes.

RS: But the JEP has definitely changed under Andy, that that is a good thing. It has definitely come out of the darkness into the light and he is allowing his ... I do not know if they are journalists, or what ... or reporters to write stories ... Michael Morris is very good ... you know, to investigate. It is about investigating, is it not? Any one can just put a story out and then two days later we move on to the next one, and that was the difference with the blogs. We were able, just as citizens, to get hold of (inaudible) evidence and develop it, investigate it, because there was no constraints on us. We could spend a week, we could spend two weeks on one story. Whereas the media, the mainstream media, cannot do that and it is, you know, today's news is tomorrow's chip paper, you know.

AS: I am glad you made that point. That is my point actually and say I do not want to dodge the bullet, because it is fair accusation I suppose that the JEP does not do as much in depth investigative work as we would like to, but that is a resourcing issue. You know, when you have got the churn of writing a newspaper every single day, of which we publish what 25 pages of editorial content, you know plus on publication we deal with the same teen magazines, it is actually quite difficult to get under the cover of issues in the way you might have done. But it is possible.

RS: Yeah, but that is a problem for a one paper island.

AS: But alas the economics of newspapers do not allow a different approach.

NM: I think, you know, it becomes a mindset as well. I mean it was said by a journalist that the reporters over there think if somebody says it is raining and somebody says it is not, they think if they get both those stories they have got a balanced story but none of them ever look out the window, and you know, that is where I think the problem is. They think their job is done if they told both sides of a story, and I do not

think that is just Jersey. I think it is a bit of a mindset that does come along, and I think more journalists should be looking out the window. That, you know....

AS: To a point that is fair comment. But I mean it is not an absolute. Obviously there are issues that we can get a waiver.

NM: Yeah.

AS: I mean look at today's front page for example. You know, we have chosen to look into and hold accountable the current civil service leadership in terms of how they are paid and what they are paid, and that has taken actually more than just regurgitating and looking out the window. We will look out the window.

FO: And again I can see Rico and Neil simply nodding in agreement.

AS: But it is about time and pressure and resources. Now, you know, confronted with a report that big, which is what yours was ...

FO: Yes.

AS: ... that takes a team of people a lot of time to go through to report contemporaneously. You can come to my newsroom if you like and see how it operates. I mean you are welcome.

FO: Yes. Can I ask James about this?

AS: Sorry.

FO: I saw James nodding when you were saying one or two things, alongside Neil and Rico were nodding

JF: Yeah, I mean I think Neil makes a really good point actually in terms of ... I think it was Hilary Clinton that called it fake balance or fake impartiality, and it is an absolutely fair point. That is exactly what it is. The thing with the media is that it is such a ... sorry, the traditional media ... it is such a broad spectrum so you have so many different types of stories and different types of reporting. So you can almost prove whatever you want to prove by just picking a certain story, you know. So Neil is absolutely right. There is a lot of it which is that kind of fake impartiality.

Equally, and I think that has changed in recent years, there are elements of the traditional media who do take up investigations and, you know, the JEP (inaudible) and to fair to Andy, that happens with the JEP. It also happens with Bailiwick Express. You know we were the only ones that pushed the issue of Charlie Parker's contract all the way through to challenging that with the data protection commissioner, and we had to get a ruling made on that. In fact I think it is the first one. So the media, where they can, resources allowing,

do focus on investigations. So I think it is this issue of, you know, the broad spectrum. You can kind of prove whatever you want to prove.

To just bring us back to the question that you asked, which is what campaigns we can kind of draw attention to. So Bailiwick has done a lot of work with the foster carers in terms of case studies, telling the story of people who have been into foster care and how that has been successful, so it has been very positive reporting and we have had some very good feedback on that from the foster care teams in Jersey, that that has helped them find foster carers, which is obviously a major issue. So we feel that has been a very positive thing that has happened over the last couple of years.

There is just kind of one final point which I want to draw from some of the comments that Mike made earlier on, which is one of the benefits that Bailiwick has, which the other media do not, is everything ...

AS: It is not a platform for selling.

JF: Do you think I need to?

AL: We will give everybody 30 seconds to sort of advertise.

AS: (inaudible) patronising, then I am sorry.

FO: No advertising, I want the point because I think it is a good point.

JF: It is a good point, believe me. Well I think it is a good point. Everything we do is online.

FO: Yes.

JF: And because everything we do is online it means that we can measure everything and we can assess things, and we know what people read and what they do not read and what interests them and what does not interest them. So it just occurred to me when Mike was talking, all the media did wall to wall coverage of your report. I mean there was nothing else in the news for a long time afterwards. So it was comprehensively, you know really comprehensively covered, and it was really interesting for us to watch the audience to that and how that changed. So initially it was nowhere near as high as we thought it was going to be.

So we thought, you know, there was a massive, really important kind of key issue in Jersey society, and we threw lots of resources at it. We did a lot of, you know, five or six stories for days on it. Actually the audience was average, distinctly average, and after that whenever we came back to it ... so, you know, two months later, three months later, five months later ... the audience just dropped and it was not that, and

when we have done coverage in the run up to this the audience has not been there.

So, you know, when Mike is talking about the media failing in terms of not sparking interest, actually when we do stories on it we see that actually the audience is not really that interested, and I do not judge that to be a failing of the media. I think that is a wider societal problem.

NM: I think it is just cultural. But going back to the actual, you know, the question I have on it is you are asking what are the campaigns and everything, you know, really that makes it. I published the defence case of the former Chief of Police, Graham Power, and it was a 62,000 word document, 94 pages. I published the whole lot on my blog and within 48 hours that was the third most popular blog that I have ever published. So, you know, I have got different experience on this. Of course if we go back ... and I know that these guys were not in charge at the time ... but this was leaked to the media back then. They buried it. The media buried it. There is no getting away from that. So this was a very important document.

AS: Can I respond to that?

FO: Of course.

AS: I know it is about the past but I feel I have been accused of something more ...

MD: Not you, Andy.

AS: No, no, but we sought to

FO: Can I remind everybody to keep the focus on the purpose of today?

AS: Yes, so the point I was making with that ...

MD: Obviously, you know, sitting on the end here ...

FO: Mike, please just let somebody else finish.

MD: All right, but ...

AS: The point I was trying to make with that is like it was a document. There was a lot of interest in it. You know although it was a document from a few years ago there was huge, massive interest.

FO: So potential there. Alyson?

JF: Can I respond to that?

AL: So I just want to say something with James. One of the stories that you did relatively recently was about children placed off island.

JF: Yeah.

AL: Which was of great interest to us because that was an issue we were looking at and people who have spoken to us have, you know, sensed it was almost the first time it came to their attention and the thought was planted. We have been through all this with our own institutions. How can we make sure that the children that are off island are in institutions that are better than would be in Jersey? I just wondered what was the kind of seed for that. What sort of prompted that, because it was something that has made certainly a lot of people in the field very aware of the issue perhaps for the first time.

JF: It is interesting and we have lots of feedback on that story which I think would be interesting. So the reason we did it is that it came from a court. It was a write up of a judgment on JLIB, which is the Jersey Legal Information Board, where effectively the goings on of the court are fully transparent for the public ...

FO: And, James, I know, just as a warning, to mention any identifiable ...

JF: I am not going to, do not worry.

FO: Just that caveat.

JF: So the source of the story came from that so we reported it thoroughly, reported the judgment thoroughly, and fully anonymised because obviously, you know, there were issues there around identification. So if I just touch on the statistics again without promoting Bailiwick ...

NM: But the stories were.

JF: ... the story was hugely well read, both in Jersey and in the UK. You know it was a very well accessed story. But we actually got some feedback after that story, some criticism because people said we should not have done it because people involved in the case guessed the identify of the child involved because if you know the particular family you will know things which no one else does and you can triangulate that. You can guess the identity, and they actually gave this person abuse on social media.

So we were not taken to task, but we were taken up on it. They said, "Look, you know, should you have run that story because you've caused the person in that story to suffer the social media abuse." So I then had to defend why we ran the story, and my defence was quite simple, which is public interest. It was absolutely in the public interest to run that piece. You know we do need to be exposing these things so we had to run the piece, and the procedures that we went through, because we do have, for making sure as far as we possibly can identification is not an issue. But even despite all of that very close friends involved were able to correctly guess an identity.

So it really got into this issue of how the media should be handling and treating these issues, and I fundamentally believe that we should not have done what we were asked to do, which is not report it. We should have reported it and if someone guesses an identity and then chooses to use a social media platform to abuse that person, then that is something we have to deal with it. So they have committed the problem by issuing the abuse not us in running the story.

AS: I mean again we fight similar battles all the time with people who seek to stop us reporting, that no one else is aware of and there is pressure at the moment for us to report far less of these cases. There is a reasonable fear of identification in a small ... I get that. We have very, very tight ... probably too tight actually in terms of what we could do ... guidelines on what you can and cannot do because the information might identify the person involved.

FO: Yes.

AS: Now we had to report something actually ... but I am coming under pressure, I understand, when it comes to the Children's Commissioner ultimately who is concerned because she talks to these people and that gets fed through the system, that we are doing too much. So we caught often in a difficult place.

FO: Yes.

AS: So we are criticised for not doing enough.

FO: Yes.

AS: But the pressure ... and also actually the tenets of professional journalism dictate we cannot just run lots of stuff for good practice reasons, for libel reasons, for all sorts of stuff, and people need to understand that as the territory in which we operate.

MD: Can I say something? Can I make a contribution? The JEP like all printed papers is struggling. We know that. Financially it has and these are both financial organisations. They have got to make a profit to survive. Now we know that so it is a constraint. But when the JEP, for example, was in a better financial position they had a journalist who did publish a number of feature supplements on things like homelessness and social ... he went off to train to be a lawyer. I do not know if that a good thing or bad thing but that is what he did. But he was an excellent journalist and he was allowed a certain degree of free hand.

Now nowadays there are big supplements which regularly appear in JEP but they of course are based upon finance. They are paid advertising supplements to a large extent. But that just shows you ... it

shows me the priorities of a commercial organisation. They have got to produce commercial things. Now they are not incentivised in the same way to promote child welfare. I mean they do occasionally. Yeah, obviously they do because it comes up and they will get cases on damages, and all that stuff, which will focus public attention.

But the articles on commercial things, such as finance or this week's show house which they will spend enormous, glossy supplements on, those are regular features. But they are not featuring child welfare in the same way and you could do. You could do it on a regular basis and there is finance ...

- AL: How would you do it, Mike?
- MD: Well there is finance available. There should be finance available. There will be finance available.
- AS: Mike, I agree there should be. I am biggest champion of that you will find.
- MD: Well I would welcome the opportunity ...
- FO: There is 100% agreement with you on that.
- AL: Yes, yeah.
- NM: I think this comes back to James' point, you know he is worried about what he publishes and not publishes. But I would say, you know, this is where we are at a disadvantage as bloggers, is because these guys will have an army of lawyers to fight their case for them.
- AS: I have not taken legal advice in five years at JEP.
- NM: No, but I am saying is you would have, Andy, you know ...
- AS: No, no, but I would like to deal with that really. I have not spent a penny on lawyers in five years for right or wrong.
- NM: But we are vulnerable in that respect. If we mistakenly identify somebody or something like that, like James was talking about, we are finished. We are kaput, you know. I mean they are bringing in legislation to close us down anyway, or they brought in the legislation to try and close us down. So you know they ...
- SC: Which legislation is that then?
- NM: It is P.19/2016. It was the ...
- AS: This is telecommunications.
- NM: The old telecommunications law.
- SC: Okay, yeah.

NM: So, you know, we live in fear of anything that we publish. Whereas, you know, any big organisation that has got finance behind it can say, "That's okay, we'll just get our lawyers on it. That's not a problem." But we have got to think, Jesus Christ, you know if we get ...

AS: That is not quite ...

NM: But we are not in the same context as that. You know this is our sort of worry, if we publish something that ...

FO: Sandy?

SC: Can I maybe slightly change tack, but follow through on what I think is a very significant kind of point that James made about your being able to monitor what has been made and the low level of interest, because we are obviously very interested in it. People in the room who have been here regularly are interested in it. But the real issue is if there is going to be change in Jersey, the Jersey community needs to actually take some ownership for it. You know we have had concerns about the States taking ownership for being a corporate parent. But actually the man and women in the streets of St Helier needs to take ownership for it as well and so it is significant what you are saying about the low level of traction on these issues.

JF: Yes. There is a balance here which we have to tread every day. You cannot run your life by the statistics, is the first principle.

SC: Yeah.

JF: So although, yes, we have got all the statistics and we know what will work and what will not work as a story that does not mean that is the only editorial decision. So for example the output of this review, we will cover it in depth even though I strongly suspect ... I hate to use the word, I know ... but I strongly suspect the audience will be low but I feel we need to do it because of its importance. So there is like an editorial overlay which goes over the top of that so we are not entirely run by the stats.

Having said that, what the stats do is take a lot of the judgment out of journalism. So I have been doing this 20 years and Andy has too, and previous to maybe the last four or five years a lot of an editor's decision has been judgment based and, you know, we have these tools available now which take us out of that equation.

But the fact remains that we do not ... you know, Bailiwick has a very large audience these days ... but we do not see the traction on these types of stories in general. Specific ones, so the one that Alyson has rightly raised about the child in UK care, was hugely popular. So specific stories come through.

FO: Right. Can I just stop you ...?

RS: I just want to

FO: Sorry, I realise you have got ... but just to clarify ...

RS: No, that is fine.

FO: ... I think the significant thing there was it was not just that specific case. I think what happened was it caused people to think we have got, you know, 25 children off island, what kind of institutions are they in?

AS: Yeah, yeah, you are absolutely right.

FO: And I think that was one of the greatest significance. Apologies, Rico, because I ...

RS: No, but I was just making ... you know obviously they are a news outlet and they want to put the news out and certain stories get more hits than other stories, and I think when I came into this at the very beginning, one of the things I always struggled was with how little people care. You will get a few people that really care, you know. We did what we did because we cared. But the majority of people, it is like, "If it's not on my door I don't care about it basically." You know it is like you can run a really good piece in a newspaper, a really in depth story about abuse, and yet a cat pulling a smiley face, if you put that on the front that will get thousands of hits. That will go viral like a poppy cat and the child abuse will get like 100 ...

NM: Well I think a lot of that is probably the point ...

RS: It is just it is a mindset and it is a cultural thing and I do not know why that is. But child abuse especially some people just do not want to go there and they do not want to think about it. It is not on my door. I do not want to think about it.

JF: It is the first point, Rico. It is why you need to sort of kind of add the editorial overlays that I spoke about. So, yes, we could put a smiley cat picture and get some hits on it. We obviously do not do that.

RS: Yeah. No, but the point I was making is just, you know, it is a mindset with the public.

NM: But I think we come down to, with the reporting again, do we not, there is a point that Mike made that, you know, everybody knows much how you lot cost, 24 million quid. The media talk about 24 million quid all the time. How much this person got paid and whilst everyone is talking about the 24 million quid no one is talking about the abuse. So a lot of the public opinion right now is, "Wow, 24 million quid just for that," you know? And there is a lot of that.

JF: And it is a very fair point and I do understand that. I think the difference that Andy and I have is we have a very broad spectrum of both the viewpoints on any particular story, but also of stories to run as well. So we cannot just focus on one area. So in this particular case ...

AS: Or exclude others.

JF: Or exclude others. So in this particular case, issue, however you want to phrase it, yes, we have to draw out the horrendous abuse and the societal failings that caused that abuse, so we have to do that and I believe we have done it. We also have to point to the fact that the Inquiry cost a very significant amount of money. So in some ways the problem Andy and I have, we have to do everything. We have to cover all of these different things.

NM: But it is predominantly ...

JF: Whereas you are very specific which is great and I mean it works.

NM: Yeah.

FO: That has its advantages as you have said.

JF: It is absolutely right. If the floor ...

MD: I do not want to let the BBC get ... because they are not here, the BBC. These guys are commercial enterprises. The BBC is not. It is a public service and I think on that basis the service at the BBC local (inaudible) but regardless of what the faults in the national are, the local service provided by the BBC on these sorts of serious issues is pretty well appalling, and that has to be said and I think it is a disgrace they are not here.

NM: I think the point to make ...

AS: Have they been invited here though? Before we ...

NM: I think the point to make there with regard to the BBC for instance, because you know your report was massive. It was damning. It was scathing. It was one of the, you know, most significant reports this island has ever had. Now you are back after two years. Now yesterday the talking point for the BBC was what is the best thing about Jersey. What does Jersey do better than the rest of the world? And today it is, "How do you cook your Jersey Royals?" Now what I am trying to say is that we are talking about public opinion and why you are getting very few hits on the child abuse, because the BBC are wanting to talk to you about Jersey Royals.

JF: But people are not stupid and you know I have to hold on to what I do, and the fact that the broad, vast majority of our readers are actually

sensible, informed, intelligent people, actually. Despite the people on the fringes that make all the noise, I think those people want a broad range of stuff in the media, without a doubt.

FO: Sandy?

SC: One of the issues that I think with the media is that the average public will take out varying degrees of interest. There will be things that will interest them. The key thing is about influencers and have they influenced it. So what is your reach into ... I know having worked for most of my working life as a chief officer in the public service that every day what is in the papers is of importance and it does help shape thinking. Do you have a sense that you have got that kind of connection?

AS: Which is why actually I think, you know whatever, the paper has not changed since I took over. The one thing it has done, rightly or wrongly, is become a platform for a very diverse, you know, range of opinions. We have a responsibility and an authority and an influence, but that responsibility is foremost and that responsibility is to ensure that our platform is available to all. And actually you say we have frozen you out, that is simply not true, and I have invited lots of people who have been involved in

NM: I did not say you froze me out.

AS: No, no, you said that we had frozen you out. And actually, you know, that is what we did but I understand that responsibility, and yes we try and report in a professional fair and balanced way, but equally part of the paper is to give people a platform for letters and comment and we do that very broadly. So that is my response to that.

JF: Well I think it goes back to the point that Neil made, which is a really good one, about this fake impartiality thing, you know, and the media in some areas they fall this trap all the time. They think they have to be so balanced they end up becoming bland and inept.

NM: Yeah, yeah, I totally agree.

RS: That is exactly what happens.

JF: We completely agree with that. It is very difficult though as an editor as well to decide on which issues you are then going to make a stand, and why I make that comment is because you know as soon as you make a stand on one issue you will make as many enemies as you will friends. So you have got to choose when you do that and you have got to choose that quite carefully. I am not saying you should never do it. I think you should do it and I think what people are looking for in media is some leadership, and I think they are looking for people to

take these views. But you have got to judge that really, really carefully, when you do it, and how you do it, and how you phrase it, and I know if it is something that Andy wrestles with and ...

AS (?): No, but we do that but even when you choose a subject you still have to be balanced in reporting that subject. So the right to reply is a fundamental principle of professional journalism. So while we might not wish to hear from someone with a contrary view to the line they paper is peddling, it is our duty to have that view expressed. That is a simple matter of proper journalism.

JF: You know I do not disagree. I would not disagree.

AL: I mean Mike has raised the point that these are difficult times for all kinds of commercial media, not just Jersey. Everywhere in the world, you know, there is more and more pressure for things to go online. Neil has raised the issue of sort of new regulations coming in which may impact the sort of social media commentators' abilities to comment on things. So with these kind of pressures coming on, I suppose our sort of interest is will you be able to continue to do the work that you have done over the years, that you are doing now, that sort of highlights these

FO: It is the focus.

AL: ... maybe not particularly popular issues?

JF: I am happy to give my thoughts on that. I mean, yes, I mean no one has ever told me what to write and what not to write. I know this has been suggested a lot in the public domain. But I have found in 20 years in the media in Jersey no one has ever told me to write something or not to write something. So I have never experienced that in terms of, you know, coercion. You know people have said, "I don't think you should bloody do that," or, "That's a rubbish story," and all that sort of stuff. But I do not care, you know?

AL: Yeah.

JF: I am not bothered about that as long. As I judge it to be the right thing to do I will do it and no one has ever coerced me one way or the other. So that will just continue. That is not going to change for anyone or anything. From the Bailiwick point of view, you know, we are a regulated media. I think that is an important point that we do need to raise in these forums. You know, just as JEP is, we have a regulator who issues a code of conduct which we have to follow, which we do follow. So we have those parameters which we have to stick within, but in terms of editorial decision-making I am in a slightly different position to Andy in the sense that I am both the editor and the owner,

so I do not have anyone in my ear telling me what I should and should not be doing.

RS: And a PR company.

FO: Rico?

RS: Well I think James has won the PR battle for the morning. But I was going to say the most important aspect about moving forwards, especially for not the citizen media but the mainstream media, is it comes down to just trust. It is just trust. Do the members of the public, or anyone who has got a problem, can they trust the mainstream media enough to go to them and tell them their story and be believed? Well I am retired now, more or less. I do not want to do what I do any more because it is not my job to do it. I have a life to lead. Blogging, I did it because there was a backing and it had to be done because I believed the mainstream media had failed.

Now what I want is for trust to be there so they do not have to come to citizen media. They go to the mainstream media and there will be trust and their stories will be taken as far as you can in whatever ... but you will listen to the people who come to you and ...

AS: Do you ...?

RS: ... and, you know, when it comes down to trust, Andy, you are saying people do not like, you know, the Jersey Evening Post and the perception of they are not just a government mouthpiece and everything like that.

JF: But some people

RS: Your job is, in a way, by bringing out these stories and bringing abuse forward, whether it gets one hit, two hits, five hits, it does not matter. One hit or two hits is better than anything. But it is trust. Can people go to your door, knock on your door, and go, "You know what I want to sit down and tell you my story"?

AS: Of course they can.

RS: Well that is

FO: That is the answer that needs to be heard loud and clear, "Of course they can."

AS: Absolutely.

FO: And trust, Rico, you are so right. Not just in relation to the media.

RS: Yeah.

FO: That is a recurring theme that we heard during the course of the Inquiry and that we have been hearing in the last two weeks.

RS: Yes, I am sure.

FO: And that is why in part we are grateful that there is some trust that you are at least sitting round the table.

RS: Absolutely, well you have to.

NM: But I think I said to you when I gave evidence the other day, you know, the latest social survey showed that only 33% of the population trust the mainstream media, and I know Andy is heading away from that. He has said, you know, they need to gain the trust and everything, but what are they doing to gain that trust? But also I just want to pick up what James said just quickly, if I can?

FO: Yes.

NM: Is because, you know, they will say, "We're regulated." Now I mean I watched, I do not know how many hours, of the Leveson Inquiry and the rest of it, you know the Milly Dower, the bugging of dead children's phones, the destroying of Christopher Jefferies' life, the lying of the Hillsborough ...

FO: Yes, we know.

NM: ... that was all a regulated media.

FO: Yes.

NM: The media are not regulated. It is a myth. They are not regulated.

MD: I think I know the fact (inaudible) as far as the JEP is becoming more like social media in the way it is presenting itself because it has a lot of non-judgment

AS: Well I object to that strongly, I have to say.

MD: Well you do, you encourage people to write in without a name and ...

FO: I think that is a complement actually, Mike.

MD: Well it might well be a complement but they have correspondence because of the economic restraints they are under with people who are not journalists, and it is becoming more - obviously the actual so-called trained journalists, the people who have got a nose for a story. More and more it is becoming that an FOI is an investigative journalism. That is about the level of it now unfortunately, and what Andy was saying about the restrictions coming out of the government under the restrictions of the information coming out of that ties in that the government is more and more controlling. It is shame that the official media, or the accredited media, does not give a ... we do not get press releases. You know if there is a press conference we are not invited. Why not? I wish the press, I wish the media would say, "Look, make it available."

AS: Well that is not within my gift, is it?

MD: No.

FO: All right, Sandy?

SC: But that issue of trust in the media, I mean I guess that has always been around. But probably if it is 33% it is probably a bit higher than it is for politicians.

NM: 28% for politicians.

SC: You know that is a really issue for us in terms of that.

NM: Yeah.

SC: Is that where your perception is and if there anything that can be done to establish a different level of trust in what you report?

AS: I think there are two things. There is definitely a lack of trust in some quarters on this subject in terms of JEP.

SC: Right.

AS: That is for that question.

SC: Sure.

AL: Although, you know, the way to counter that is to, as we have done a number of times, to publish the reports and the accounts of people who will speak to us.

SC: Yes.

AS: Also I mean I do not want tit for tat with anybody over here, but actually you know you are

MD: It is not about that.

AS: No, no, I know. Your mediums are focal points for abused people, for people interested in the subject. Now, you know, I do not happen to read the blogs very much. I just do not. But I do know when I go on those sites that a vast majority of the comments come back to the "filthy rag." But no, no, let me speak, let me speak. And actually that creates a context in which that trust is undermined irrespective of what we do, and that is unhelpful. So if this is about a new era of trust I applaud your platform to give people a voice, but equally it is not very helpful. And you know sometimes that actually we do quite a good job and to be fair he says that, and then the wave of abuse that you get ... but I am just saying we have got to be very quick.

FO: Yes. But one of the important things, as we come to an end, is communication and the very fact that you are communicating these issues today is building that foundation, in my mind, for trust, and I see several people nodding. This is the start.

AS: Well I would like to think that but ... sorry, go on.

RS: No, I was going to say

FO: And Rico says ... I am sorry, are you wanting to say something?

RS: But, you know, just on the blogs. I know he has made the comments and it can get a little ... but the most important thing we did on the blogs, and that is all the blogs in Jersey, is we published the evidence, the leaked documents that were given to us. They did not go to you. They came to us and we did the service and we put them out.

FO: I think Andy acknowledges that.

RS: So, you know, that is important and that is why people came to us. It is not what is in the comments. People come right up to me, comments were like, "Phhh," you know? It was what we were publishing and why we had to publish it and why people came to us.

AS: Well you were ...

RS: I do not ever want to be put in that position again so I expect you guys to step up.

AS: But the evil MSN is a part of your notice and is bound ...

RS: Yeah, that that is schoolboy stuff.

AS: Well ...

RS: It is schoolboy stuff.

FO: Alyson, yes?

NM: I agree with Andy that

AS: Well call it out, call it out.

NM: ... bridges need to be, you know, built here as well I think. There is still that element of the traditional media and bloggers. They know that bridges do need to be built there. I mean I could say back to Andy when I go on there and see, you know ...

RS: I have got no problems with Andy (inaudible) with JEP, talking about it.

FO: I can see from the body language that that process is starting.

AL: I think too it is ...

AS: Well it has started actually.

RS: Yeah, yeah, it has.

AL: Yeah. I think too, I mean you have all raised an important point and I know that all five of you have had, you know, terrible malicious abusive comments, sort of, made to you and about you online. And I

think that, sort of, the tone of some of the discussion and the debate is often off putting to a lot of people. And I don't think its something we can solve around this table, but I just would be interested to know in any thoughts any of you have about how can we, sort of, help make the debate and the discussion, sort of, robust without actually being abusive to some people?

RS: I think this is a start, I mean, I've never sat down with James or Andy like this before and, you know, I think that is a way forward. I think it's an absolute shame that not all of the media are here, the BBC and (inaudible).

FO: But at least it's the start.

RS: I can't understand why, but that's (inaudible) ...

AL: Sorry, can just say the BBC had the choice of either sending someone or reporting on it and they're reporting on it. So, yeah.

RS: But yeah ...

FO: But anyway, back to the point. Back to the point, because I've only got a few more minutes.

RS: My opinion of the JEP today is not the same as it was two years ago, three years ago, to Andy's credit that when he took over he's definitely brought it on. There is a change, I would not sit here and lie and go, "Oh, you know ..." the fact that I don't read it has got nothing to do with, it's definitely ...

JF: Always got an opinion on it.

RS: Yeah, my mum reads it every day and it's definitely, it's coming on. And that's because Andy's taken it and he's taken it in a new direction and obviously he's letting them have a but of a free reign. And that's, I'm well happy with that. So I don't want it ...

NM: To answer your question ...

FO: Yes, thank you, Neil.

NM: It's, like, you know, there is a very fine line as we've discussed in the past of what can and can't be published. You know, and everybody has a human right to offend somebody. And what I'm worrying about is, we're seeing it in the UK now where people are getting shut off of social media and the rest of it. You know, where does it end? If you said, "Well, that's abusive or that's racist or that's homophobic," you know, from my standpoint I think homophobes, racists and the rest of it should have a voice, because if we stop homophobes and racists then they'll say, "Well, you're too left wing," or, "You're too liberal." Where will that stop? So I'm very reluctant now, people ... I mean, I

get attacked the living daylights out of the, on the internet. You know, and I think, “Great, I’m making a difference, you know, if I was insignificant they would, ignore me.” So I think you’re going down a very very dodgy line if you’re going to try and, sort of, silence people from attacking you online.

AS: There’s debate about issues in a fair robust discussion of issues and downright unnecessary unhelpful abuse. And we’d agree that is ...

FO: Yes, I think so.

NM: Yes, where does that line end? That’s the question. Where is that line? Where does it stop? Where does it start and more importantly where does it stop?

JF: It’s very difficult to, kind of, define, isn’t it? I agree, there’s no quick answer to that (inaudible).

MD: A bit like Mrs Thatcher, you’re trying to introduce harmony into the proceedings. Mrs Thatcher did absolutely the opposite I’m afraid. And unfortunately I’m a political person, I read the JEP but I don’t write to it anymore. I used to be a regular contributor on the letters page and I became, my name was Mike Dun, long term critic of Jersey. That’s what the JEP used to call me. Now that, it may now sound very ... and I thought it was a bit funny at the time. But it has, it implies an establishment alignment which was then and it still is, guiding the media in this island. There is, ultimately, an alignment with a certain establishment point of view and I find myself in disagreement with that. One of the reasons I blog is not to (inaudible) necessarily to express, I want to express my view and it’s in disagreement. So your idea that you have harmony and lack of dissent, no, I don’t think so. I think I want dissent, because unless these guys are going to change their views on the finance industry radically and start being more critical of what goes on in those sort of things and childcare and all the rest of it, unless they’re going to present a more challenging point of view, I will be a dissenting voice.

JF: Again, I think the issue is though, Mike, that the position Andy and I are in which is everyone thinks we’re wrong. So you think we’re wrong because we’re establishment mouthpieces, establishment think we’re wrong because we’re tabloid, sensationalising ...

AS: Anti Jersey.

JF: We hear it all the time, honestly I get it .. Depending on who I bump into on the street, I get the reverse abuse. It’s so funny.

FO: Right. I am conscious of the time and we know we have got a very heavy timetable. Thank you first of all for attending and thank you for being robust in your views.

AL: We only got as far as question to but ...

(laughter)

AL: ... we'll need to come back and do the others. Thank you.

FO: Thank you.