Vishakhapatnam (Vizag) Conclusions for Parliament and the Media

Summary of discussions of a Commonwealth Parliamentary Association (CPA) Conference on Parliament and the Media Law, held in partnership with the World Bank Group (WBG) and the Andhra Pradesh Legislature, Andhra Pradesh, India.

Introduction
The Commonwealth Parliamentary Association (CPA) held a conference on Parliament and the Media in Vishakhapatnam, Andhra Pradesh, India from April 7 – 11, 2015. The Conference saw the participation of over 20 Branches, representing all 9 regions of the CPA. Hosted by the Andhra Pradesh Legislature, the conference also included Speakers and secretaries from India State Legislatures. Participating Branches included: Kenya, Ghana, Sri Lanka, Maldives, Victoria, Australia, Northern Territory, South Australia, Malta, Guernsey, British Columbia, Jamaica, Samoa, Johor, India, Orissa, Chhattisgarh, Punjab, Meghalaya and Andhra Pradesh.

Previous CPA programmes held between 2000 and 2003 on Parliament and the Media resulted in proposals to improve the flow of information between citizens and their elected representatives and governments. Three distinct bodies of work were developed as outcomes of these previous meetings.

The first, Parliament and the Media: Building an Effective Relationship (New Delhi, India 2000), developed points of agreement, discussed differences and reached an impressive degree of consensus on how both institutions could relate to each other in a more effective way. A way which would be more effective not simply for Members and journalists but, more importantly, more effective for the people they all serve. It provides Parliaments and the media with constructive proposals to improve their performance and their inter-relationship, and with it to improve the esteem with which both are held in our societies.

The second, Principles for an Informed Democracy (Cape Town, South Africa 2002) carry forward the Points of Agreement, developed in New Delhi, which Parliaments and the media could take to build an effective relationship. It highlighted the importance of the role which both Parliament and the media play in communicating parliamentary activities to citizens as a way to empower the public.
The third publication on *Recommendations for an Informed Democracy* (Perth, Western Australia 2003) stated ‘Freedom of the press should not be regarded simply as the freedom of journalists, editors or proprietors alone to report and comment. Rather, it should be regarded as the embodiment of the public’s right to know and to participate in the free flow of information.’

Over 10 years later, the *Vishakhapatnam Conference* revisited these earlier works and re-emphasised the *Principles and Recommendations for an Informed Democracy*. The Conference focussed particularly on developments in technology which have occurred during the period and which have impacted the relationship between these two institutions of Democracy i.e. Parliament and the Media.

Throughout the Commonwealth, Parliaments recognize the right of the media to have access to the institution and to parliamentary processes, and to report on them. The principle of freedom of expression, and freedom of the press in particular, is essential to the effective functioning of parliamentary democracy.

The *Vishakhapatnam (ViZag) Conclusions for Parliament and the Media* acknowledged that the media is in transition as a result of technology and the element of instant sharing of information via the internet and the rise and use of social media tools have revolutionised the institutions as well as the relationship between Parliament and the Media.

**Summary of Discussions and Recommendations**

**The Role of the Media as the Fourth Estate**

‘Access to information is important for a vibrant democracy for at least two reasons. First, it encourages citizens to make responsible, informed choices rather than acting out of ignorance or misinformation. Second, information serves a "checking function" by ensuring that elected representatives uphold their oaths of office and carry out the wishes of those who elected them.

Others call the media the fourth branch of government because it plays such an important role in the fortunes of political candidates and issues. This is where the role of the media can become controversial. News reporting is supposed to be objective, but journalists are people, with feelings, opinions and preconceived ideas’.

This session discussed the broadening of the term “media” in recent years and how it encompasses new actors and roles. The session provided an overview of the media’s role as an accountability actor in governance systems, playing an instrumental part in ensuring government transparency by communicating government actions to citizens.

‘*Parliament is just a beat which exists only when it is in session*. It was stated that the Media sometimes focuses more on sensationalism or negative reporting in its coverage of Parliament, instead of reporting the multiplicity of views expressed by Members, and at other times they are focusing on ‘bite journalism’. Adjournments and commotion may tend to make news rather than substantive debates on important issues.

Ideally, in a democracy the media should bring parliament and citizens closer together but in some instances it can have the opposite impact. It was acknowledged that though it is important for the media to highlight challenges facing the Parliament or their elected representatives there should be a balanced approach to reporting on parliamentary performance and activities.
Parliamentarians, on the other hand, appear sometimes to give the impression that they are addressing their constituency and are preparing for next elections.

The meeting discussed the varying view of the public between the media and parliamentarians, whilst the latter see the public as voters i.e. the former see them as consumers. For democracy to work effectively all three should be seen as partners in promoting good governance.

Parliament and the Media: Legal Framework
The media are key accountability actors in modern democracies. As a key actor, the Media is governed by legislation and is subject to regulations. The principle of freedom of expression enables both the media and citizens more generally to hold their government to account. It was accepted that there is need for some special and contextual considerations on Freedom of Expression laws with regards to privacy and defamation laws, national interests and international obligations. In addition, the meeting discussed the existence and effectiveness of self-regulated media forums.

Social media: how has social media impacted on the institution of Parliament and Parliamentarians?
The use of social media tools such as twitter, facebook and Instagram has revolutionised the way Parliaments and the media communicate information to the public. There is a clear trend amongst Parliamentarians to use social media tools to communicate with each other, with their constituents and with the media.

In many Commonwealth jurisdictions, parliamentary committees now use social media to advertise their hearings, seek public input and publicise their work. Most Parliaments today have an internet presence by way of an official parliamentary website, and legislatures are finding that these website must be updated on a regular basis to improve social media engagement by Parliamentarians. Some parliaments have introduced and provided electronic access to parliamentary documents using iPad technology.

It was accepted by the conference participants that parliamentarians increasingly view social media as an essential tool for their work to provide information quickly to other Members, staff, the media and citizens. The growing use of social media by parliamentarians parallels the expanding use of the medium both the media and the wider society. Though it was noted that in political life social media does not remove the need for more traditional means of communication, i.e. the need to meet the community or for personal calls and formal letters. It does however expand the range of communication options available to parliamentarians.

The growing use of social media has also created challenges and risks for parliamentarians and their families. While the prudent use of social media is common sense for all, it does pose a risk for individuals with high profiles with searches of their lives and that of their families. There is a responsibility to ensure that parliamentarians have support and guidance on the effective and appropriate use of social media and ways they can minimise risks to themselves and their families.

It is also important to understand that social media driven media platforms have in many cases begun to supplant mainstream media, and reach a larger audience than mainstream media channels. Social media channels have given parliamentarians the power to reach their constituencies directly, bypassing journalists and shaping narratives directly. Mainstream media must also find a way of partnering with alternative journalists such as bloggers, whom may have
deeper expertise in certain subjects that in-house journalists might, or whose social following gives them a large public platform and finally while social media has been a positive powerful influence on media, it is important for journalists and parliamentarians to be aware of the pitfalls of social media – on social media both fact and fiction can go viral equally fast and sometimes ‘crowdsourced’ information isn’t fully reliable. New checks and balances have begun to emerge but they are not fully established. It is important in the first instance for the media to have its own self-regulatory controls.

**Overview of Access and Right to Information**
Greater transparency and a robust system of accountability can mobilize citizen engagement, surface budgeting failures, and create the incentives for change. Empirical evidence supports what seems intuitively clear: participatory, transparent and accountable governance is associated with improved development effectiveness and poverty reduction outcomes.

This session explored the open governance trend, challenges facing access to data, and the capacity of media and parliaments to use data. The trend towards greater openness in government is exemplified by the rise in the number open government data initiatives around the world, in countries rich and poor and across all continents. The motivations for such initiatives vary from transparency and accountability to inclusion, civic engagement, betters service delivery, jobs and economic growth. Many such initiatives have however not realised their full potential due to reasons such as patchy data coverage, poor capacity and data literacy in society, under developed policies and insufficient financial resources. Despite such constraints there are many open data related success stories already and a new breed of ‘data journalist’ has begun to show the power of open data in helping average citizens better understand the institution of parliament and encourage more evidence based parliamentary interaction. The media is a key intermediary in helping citizens make sense of the growing volume of parliamentary data but it also needs to invest in creating infrastructure, tools, capacity and skills for ‘data smart’ journalists.

**Access to Parliamentary Information**
Parliaments generate important information. There is a global trend of increasing access to public and private sector information. This trend also involves the legal access to parliamentary information with exemptions from disclosure of records which infringe on parliamentary privilege. Most Parliament websites are a huge resource with voluminous data on the functioning of Parliament and parliamentarians. The data is usually complex and in varied formats and not synthesised. It was discussed that if this information is made easily accessible and usable, it could increase engagement between citizens and the legislative process while facilitating a better understanding of parliament by the media. This would enable the understanding of the functioning of Parliament, participation of MPs and legislative proposals considered by Parliament.

In most Parliaments access to parliamentary information begins with the assumption of the public right to information by the media and citizens. Traditional Hansard debates which are available in print, audio and video, can all now be accessed online. This information is now widely used by parliamentarians, parliamentary staff, the media and citizens.
The work of the PRS Legislative Research was discussed. This independent organisation tracks the functioning of the Indian Parliament and comments on the work of MPs from the Lok Sabha and Rajya Sabha across political parties and MLAs from various states. They provide a comprehensive resource base to access Parliament-specific data, background information on Parliamentary and governance processes and analysis of key legislative and policy issues. They are able to provide web based information on non-government MPs across several indicators. This information is tracked on a day to day basis. It includes indicators on attendance, participation in debates and parliamentary questions asked, and private member Bills initiated. This information is provided in a comparative context with state and national averages for each of the indicators. This information is provided in various formats including ‘SMS MP track’, which helps citizens acquire performance details of their MP by sending in a pin code.

Though it was not intended, this service has been increasingly used by not just media and citizen groups, but also parliamentarians.

**Gender Issues and the Media**

It is an era of transition for women’s media coverage and women’s participation in public life. Though media reporting has improved since the 1970’s when women leaders made the news simply because women held so few seats, some old ideas still persist. The appearance of women and their private lives are still treated as relevant to their roles more often as is the case for men. There are still persistent patterns of reporting that work against women, however there is a continuing shift towards gender neutrality. This change has reflected the increased presence as well as the growing diversity of backgrounds of women in politics.

**Media as an Accountability Tool: Collaborative Governance across the National Budget Cycle**

This session aimed to broaden the scope of the discussion to explore opportunities for parliament and media collaboration given common objectives as demand-side accountability actors in governance systems. In particular, focusing on the annual budget process can illuminate the alignment of accountability aims.

The national budget is one of the most powerful development tools at a country’s disposal. The allocation and implementation of public resources are crucial for citizens understanding their government’s plans for development and poverty reduction. Parliament and the media can coalesce and collaborate in order to promote good governance and hold the government accountable for the use and management of public funds – contributing to the transparency, participation, inclusiveness and effectiveness of public institutions.

Although parliament’s role in the budget process depends on the jurisdictional context, there are multiple entry-points for parliament, the media, and civil society organizations to collaborate – albeit within an environment of healthy dialogue and independence. One common intersection is the public hearing process in which media can provide visibility of public financial management issues to the public through open hearings, and civil society organizations can provide submissions of evidence in order to ensure citizen voice informs budget allocation and oversight.
In conjunction with Supreme Audit Institutions, Ombudsman and Anti-Corruption Bureaus, parliaments and other demand-side actors can contribute to a strong accountability ecosystem.