



NATIONAL ADVOCACY CAMPAIGN ON THE RIGHT TO INFORMATION

TRAINING MANUAL FOR HALF-DAY WORKSHOP

COURSE OUTLINE

Half-Day Workshops on the Right to Information

9.00 am – 9.30 am	-	Meet at venue / Tea
9.30 am – 10.00am	-	Session One: Introductions / Course Outline / Expectations
10.00 am – 10.10 am	-	Session Two: Introduction to Right to Information and why it is important using overheads and slides
10.10 am – 10.40 am	-	Break into groups of 5-6 to discuss: <ol style="list-style-type: none">1. Was the Right to Information denied to you?2. How did you try to access the information?3. How would have used the information?4. What was the effect of not having the information?5. What did you do when you did not get the information?
10.40 am – 10.50 am	-	Groups report back. Trainer to record important points of stories on magi-board
10.50 am – 11.00 am	-	Trainer to lead discussion back into larger group by highlighting the commonalities between individual stories
11.00 am – 11.30 am	-	Session Three: Trainer speaks on the situation of the Right to Information in Sri Lanka / restrictions on access to information in Sri Lanka based on handout by Article 19
11.30 am – 11.45 am	-	Group discussions on the Right to Information / Discussions of case studies
11.45 am – 12.00 pm	-	Break / Informal Discussions
12.00 pm – 1.30 pm	-	Session Four: Training and group activity specific to target groups
1.30 pm – 2.00 pm	-	Session Five From information to accountability, re-cap on the importance of the Right to Information and encapsulation of the lessons of the day

Detailed outlines for each target group follow

COURSE OUTLINE

Half-Day Workshop for Journalists on the Right to Information

- 9.00 am – 9.30 am - Meet at venue / Tea
- 9.30 am – 10.00 am - Session One:
Introductions / Course Outline / Expectations
- 10.00 am – 10.10 am - Session Two:
Introduction to Right to Information and why it is important
using overheads and slides
- 10.10 am – 10.40 am - Break into groups of 5-6 to discuss:
6. Was the Right to Information denied to you?
7. How did you try to access the information?
8. How would have used the information?
9. What was the effect of not having the information?
10. What did you do when you did not get the information?
- 10.40 am – 10.50 am - Groups report back. Trainer to record important points of
stories on magi-board
- 10.50 am – 11.00 am - Trainer to lead discussion back into larger group by
highlighting the commonalities between individual stories
- 11.00 am – 11.30 am - Session Three:
Trainer speaks on the situation of the Right to Information in
Sri Lanka / restrictions on access to information in Sri Lanka
based on handout by Article 19
- 11.30 am – 11.45 am - Group discussions on the Right to Information / Discussions
of case studies
- 11.45 am – 12.00 pm - Break / Informal Discussions
- 12.00 pm – 12.15 pm - Session Four:
Training and group activity specific to journalists. Challenges
of advocating and using the Right to Information for media
and journalists
- 12.15 pm – 12.30 pm - Group review of stories of magi-board / How would you use
the Right to Information to access the information? What
arguments would you use?

- 12.30 pm – 12.50 pm - Group Activity:
What are the most important principles of the Right to Information for journalism? Why are these the most important?
- 12.50 pm – 1.00 pm - Reporting back to entire group
- 1.00 pm – 1.20 pm - Group Activity:
1. How can journalists as the watchdogs of democracy, promote understanding of these principles among the community?
 2. Develop an idea for a story that will highlight or test the principles of the Right to Information
 3. How will you approach this story?
 4. Where will you get the information?
 5. What arguments will you use to support your claims for access to information?
- 1.20 pm – 1.30 pm - Reporting back to entire group
- 1.30 pm – 1.45 pm - Group synthesis of day's findings, facilitated by trainer
- 1.45 pm – 2.00 pm - Session Five
From information to accountability, re-cap on the importance of the Right to Information and encapsulate of the lessons of the day

COURSE OUTLINE

Introduction: Trainers Notes

Half-Day Workshop for Journalists on the Right to Information

Aim

A community's right to know and right to access information are the lifeblood of a democracy and journalists are most often the instruments through which citizens practice these rights.

The aim of this course is to give journalists a practical understanding of freedom of information principles, the legal and constitutional guarantees needed to underpin this right, and what it means for the practice of journalism and the role of media in an open and participatory democracy.

The course gives journalists the opportunity to contribute to the campaign for right to information.

It will also provide participants with valuable training on effective communication and campaigning for the Right to Information in local constituencies.

Who is the course for?

The course is primarily designed for journalists working in the media, including those active in journalists' unions.

How the course works

The course is designed to operate over one day with approximately 20-25 participants. These Trainers Notes are a step-by-step guide for how to conduct the course.

The Course Outline identifies each session, and refers the trainer to these Training Notes, Overheads and Handouts. The Course Outline should be reprinted for participants without the italicised directions to the trainer.

Each session is stand alone, so trainers can design a course of shorter duration if time is restricted.

SESSION ONE

Lecture: Introductions, Course Outline, Expectations

AIM

To introduce participants to each other, understand expectations and introduce the concepts of the course.

EXPLAIN

Introduce yourself, and ask participants to introduce themselves. Use an ice-breaker to relax participants. An example, apart from the usual round of introductions, is to ask participants to speak to the person next to them for five minutes and find out:

- Their name
- Their workplace / occupation
- Something personal about the person (e.g. they play the tabla, they like Buriyani or whatever)

Then each person must introduce the other person to the group using this information (only about 30 seconds per introduction). This is not a good method for larger groups however.

Ask participants to write down their expectation for the course and give them a few minutes to do this. When finished, write the expectations on large sheets of paper and paste around the room. At the end of the workshop, the group can check whether their expectations have been met.

Give a brief outline of the course aims and the agenda, including details of CPA and the British Council.

TRAINERS NOTE

Use slide to introduce the two organisations.

SESSION TWO

Lecture: Introduction to Right to Information

AIM

Introduce the Right to Information, what it is, and why it is important

TRAINERS NOTE

After the slides have been displayed and explained, follow with the YA-TV video on the Right to Information as an ice-breaker and introduction to the Right to Information. Follow this video presentation up with questions that draw out the main points from the video.

Paste these points on a large sheet of paper for all to see. Link these points up with the slides and summarise.

WHAT IS FREEDOM OF INFORMATION?

- Access to information
- Obligation of public bodies to publish information
- Obligation to produce information

WHY IS THE FREEDOM OF INFORMATION IMPORTANT?

- Importance of good implementation of any Right to Information legislation
- Narrow concept of accessing information concerning oneself
- Improving government accountability and transparency
- Exposing wrong doing and corruption
- Facilitating research and advocacy which in turn may contribute to improving government
- Enable public participation in the democratic process and decision making

WHY IS THE FREEDOM OF INFORMATION IMPORTANT FOR JOURNALISTS?

- A free press depends on the free flow of information from the media to the people and from the people to the media.
- The media needs access to information for public benefit.
- Engendering accountability not only in government, but also in civil society and media institutions themselves.
- Helps expose corruption and malpractices.

SESSION TWO

Group Work: Experiences related to Right to Information

AIM

Group work that will draw out the experiences of participants on instances where the right to information has been denied.

TRAINERS NOTE

30 minutes for discussion. This session, being the first group exercise, will need more time than others since participants will need to get comfortable with each other. The trainer will have to briefly facilitate each of the groups to ensure that they are on track.

Ask the group to break into groups of five or six and explain you want them to discuss the following questions:

1. Was the Right to Information denied to you?
2. How did you try to access the information?
3. How would you have used the information?
4. What was the effect of not having the information?
5. What did you do when you did not get the information?

Allow 15 minutes for discussion, then each group to appoint one or two people to report back to the broader group. You could give them large sheets of paper to be taped to the wall/flip chart to help them in the report back. Allow each group to report back for five minutes.

The trainer will have to record the most important points of these experiences on a magi-board, possibly in the following format.

Story / Experience	Outcome

SESSION TWO

Lecture: Legal Framework of Right to Information

AIM

To explain to participants the importance of a legal framework underpinning the Right to Information and provide an appreciation of the rights of journalists to access information.

TRAINERS NOTE

Trainer explains why it is necessary to have a legal framework to guarantee access to information and the progression from constitutional provisions to specific laws and regulations.

“Open Questions” – ask these from the participants and stimulate discussion

- What legal provisions do journalists in Sri Lanka need?
- Why do you think journalists need these legal provisions?
- Do you think that journalists are adequately aware of existing legal provisions?
- If not, why do you think they are not adequately aware?
- What practical support do we need?
- How could the information we needed for the stories highlighted in the first session have been accessed?

Engage with the group whilst outlining the necessity of having a legal underpinning for the Right to Information.

Link this to the experiences of the group brought out by the previous group exercise.

WHY IS IT NECESSARY TO HAVE A LEGAL FRAMEWORK FOR THE RIGHT TO INFORMATION?

- Many countries already have constitutional provisions guaranteeing this right, although some limit this right to journalists.
- However, constitutional provisions on their own are not enough to guarantee the right of access to information. A legal framework is needed to specify a process and clarify exceptions etc. An increasing number of countries have therefore adopted specific laws generally referred to as ‘freedom of information’ or ‘access to information’ laws.
- Having adopted specific laws, many countries go on to adopt secondary legislation in order to enact the primary legislation. Internal codes of conduct and guidelines to lend further guidance to public officials can also be adopted.

SESSION THREE

Lecture: Principles of Right to Information

AIM

This section will look specifically at the Right to Information in Sri Lanka and current restrictions on journalists accessing information. The section will also encourage participants to consider the implications of Right to Information to development, political participation, transparency and accountability.

TRAINERS NOTE - Principles

Trainer first explains the basic principles which underlie a freedom of information law.

Principles underpinning the Right to Information (use slides):

1. Maximum Disclosure
2. Obligation to Publish
3. Promotion of Open Government
4. Limited scope of exceptions
5. Process to facilitate access
6. Costs
7. Open Meetings
8. Disclosure takes precedence
9. Protection for whistleblowers

TRAINERS NOTE – International Standards

International standards in the Right to Information (use slides):

1. Universal Declaration of Human Rights, 1948
2. The International Covenant of Civil and Political Rights, 1966
3. The International Covenant on Economic Social and Cultural Rights, 1966
4. The European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950
5. The American Convention on Human Rights, 1978
6. African Charter on Human and People's Rights, 1981
7. Commonwealth Principles, 1971
8. The Johannesburg Principles on National Security, Freedom of Expression and Access to Information, 1995

Trainer will then highlight flag the UDHR and the ICCPR and look at them in some detail.

See next page....

Universal Declaration of Human Rights, 1948

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The International Covenant of Civil and Political Rights, 1966

Article 9 (2): Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

Article 19 (2): Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

TRAINERS NOTE – Sri Lankan situation

The **constitutional provisions on access to information in Sri Lanka** (use slides):

1. Article 10
Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice.
2. Article 14(1)(a)
Every citizen is entitled to the freedom of speech and expression including publication.

TRAINERS NOTE – Sri Lankan situation

Constitutional restriction on the access to information in Sri Lanka (use slides):

1. Article 15(2)
2. Article 15(7)
3. Article 15(8)
4. Official Secrets Act No. 32 of 1955
5. Sri Lanka Press Council Law No. 5 on 1973
6. Official Publications Ordinance No. 47 of 1946
7. Public Security Ordinance No. 25 of 1947
8. Prevention of terrorism Act No. 48 of 1979

TRAINERS NOTE – Sri Lankan situation

Using the points above, you should ask participants on how these restrictions impact of their work.

End discussion by asking

- What are the main limitations on your work?
- What are the main rights you can rely on to aid your work?

SESSION THREE

Lecture: The Right to Information and Public Authorities

AIM

The trainer presents the responsibilities of the public authorities and conditions which should ideally be established to support the work of the information officer.

TRAINERS NOTE

Generate interest on the obligation of public bodies to give out information, and respond quickly to requests for information.

1. Public bodies have an obligation to disclose information and every member of the public has a corresponding right to receive information; "information" includes all records held by a public body, regardless of the form in which it is stored
2. Freedom of information implies that public bodies publish and disseminate widely documents of significant public interest, for example, operational information about how the public body functions and the content of any decision or policy affecting the public
3. The cost of gaining access to information held by public bodies should not be so high as to deter potential applicants and negate the intent of the law itself

WHAT DOES A PUBLIC BODY NEED TO DO IN ORDER TO MEET ITS OBLIGATIONS UNDER THE RIGHT TO INFORMATION LAW?

- Allocate responsibility to an information officer
- Train the information officer and personnel on the Right to Information and the obligations of the law
- Setup / Improve existing record management systems / databases
- Setup a database for entering requests and recording decisions etc
- Proactive publication of information (according to the terms of the law and also a matter of good practice to publish information regularly requested)
- Publicise the existence of Right to Information by putting up posters, printing leaflets, explaining the contents of the law in everyday language.

Discuss what is important to journalists here? What do journalists think they need?

- Good/easy to find Contact points
- Acceptable Level of knowledge among public officers
- Reliable information
- What form should the information be accessible in? Print / Electronic?
- What languages should the information be given out in?

SESSION THREE

Group Activity: Discussion on the principles and situation of the right to information in Sri Lanka

AIM

The aim of this session is to encourage a debate and discussion that evaluates the different sources of information that journalists rely on, particularly in the context of the nexus between the Right to Information and development, political participation, transparency and accountability.

TRAINERS NOTES

Distribute article by Aruna Roy. Aruna Roy has written an article on the Right to Information and its importance for journalists. The article flags many important points on the use and advocacy of the Right to Information in the media. Although the article is on India, many of the points are applicable in a broader context.

The key points of her article are (show slide):

- At the time of the framing of the constitution we had the right to freedom of expression, but no right to information.
- It is only in seeing ourselves as citizens and exercising our rights as citizens that we strengthen our specific categories, whether as activists working with the poor, or as journalists.
- Traditional systems of information access in India have made journalists dependent on sources, who are people in power they must cultivate. Whether bureaucrats or politicians, much depends on the privilege and patronage of the individual source.
- What does a relationship of patronage do? Not only does it make journalists depend on very feudal relationships, it also makes them use the information they are fed regardless of the veracity of that information. Much of government information is so badly collected that the data is unreliable and useless. Much of it is falsified data.
- What are the facts behind terrorism? Do we really know them?
- If we want peace, then we also need ethics in public life.
- Accountability is required not only of the government or of NGOs and movements but also of the press.

- To stop corruption and achieve greater equity and social justice in our society, we have to have transparent governments, since they will be accountable. Without an accountable government there is no future. For transparency and accountability we need to exercise the right to information law, and governments have to organize themselves to deliver information speedily.

TRAINERS NOTES

Trainer will then lead open discussion that will include:

- An evaluation of current reliance on people in power as sources – how reliable and independent is this information?
- What are facts? Why do we accept them? And what happens when we report them? Eg. Figures on literacy, health, war casualties etc?
- Understand that by free access to official information a journalist (and therefore the public) has a more equal relationship with government
- Look at protection of confidential sources as a precondition for whistleblowers
- Aim is to get group thinking about alternative sources of information and the advantages and disadvantages of both.

END OF SESSION THREE

Group Activity: Tea Break / Information discussions

AIM

Break the monotony of discussions and lectures

TRAINERS NOTE

Elicit feedback from participants on the progress so far. Determine areas that need to be covered in more detail.

15 minutes

SESSION FOUR

MODULE FOR JOURNALISTS

Group Activity: Re-visit case studies / experiences of participants

AIM

The aim is for participants to apply the principles they have learnt in earlier sessions to their work.

TRAINERS NOTES

In a large group ask participants to look back at the experience outlined in Session Two. Ask the questions:

1. How would participants go about accessing the information now?
2. What arguments would they use?

Bring up slide outlining the basic principles of the Right to Information. Juxtapose this slide along with the experiences of the group and facilitate discussion.

1. Maximum Disclosure
2. Obligation to Publish
3. Promotion of Open Government
4. Limited scope of exceptions
5. Process to facilitate access
6. Costs
7. Open Meetings
8. Disclosure takes precedence
9. Protection for whistleblowers

SESSION FOUR

MODULE FOR JOURNALISTS

Handout: Give out the Public's Right to Know – Article 19 publication on the Right to Information

AIM

The aim is for participants to apply the principles they have learnt in earlier sessions to their work.

TRAINERS NOTES

Use background material on the Right to Information for participants. This material will also prove helpful in the next group activity.

Using the slide briefly introduce Article 19.

ARTICLE 19

Named after Article 19 of the Universal Declaration of Human Rights, we work worldwide to combat censorship by promoting freedom of expression and access to official information.

With partners in over 30 countries, we work to strengthen local capacity to monitor and protest institutional and informal censorship.

We monitor, research, publish, lobby, campaign and litigate on behalf of freedom of expression wherever it is threatened. We develop standards to advance media freedom, assist individuals to speak out and campaign for the free flow of information.

ARTICLE 19 is registered as a charity in the UK (No.327421).

www.article19.org

SESSION FOUR

MODULE FOR JOURNALISTS

Group Activity: Most important principles for journalism?

AIMS

The aim is for participants to apply the principles they have learnt in earlier sessions to their work.

TRAINERS NOTE

Bring up slide on the principles before the group breaks up for discussions. To ask participants what they feel to be the most important principles of the Right to Information, and justify their choices.

Ask the group to break into groups of five or six again and explain you want them to discuss the following questions:

1. Which of these principles are most important for journalism?
2. List them in order of priority and explain why
3. What other practical supports do journalists need?

Allow 10 minutes for discussion, then each group to appoint one or two people to report back to the broader group. You could give them large sheets of paper to be taped to the wall/flip chart to help them in the report back. Allow each group to report back for five minutes.

1. Maximum Disclosure
2. Obligation to Publish
3. Promotion of Open Government
4. Limited scope of exceptions
5. Process to facilitate access
6. Costs
7. Open Meetings
8. Disclosure takes precedence
9. Protection for whistleblowers

Put the most important principles, as brought out by the participants, on a flip-chart / magi-board.

SESSION FOUR

MODULE FOR JOURNALISTS

Group Activity: How can journalists apply the Right to Information?
Case studies where the right to information could have been used.

AIM

Bring out how journalists can use the Right to Information in their work.

TRAINERS NOTES

Journalist's rights are those of any society. All of society has the rights to information and to access to information. As journalists, we are the vessel through which our communities exercise those rights.

In a democratic system the actions or omissions of the government must be subject to close scrutiny not only by the legislature and judicial authorities but also by the free press and public opinion.

Distribute case studies where the right to information could have been used.

Pick out one story from these case studies and discuss the following:

1. How can journalists as the watchdogs of democracy, promote understanding of these principles among the community?
2. Do journalists need to explain to the public the role of media in democracy?
3. Develop an idea for a story that will highlight or test the principles of the Right to Information
4. How will you approach this story?
5. Where will you get the information?
6. What arguments will you use to support your claims for access to information?

SESSION FOUR

MODULE FOR JOURNALISTS

Group Activity: Tea Break / Information discussions

AIM

Break the monotony of discussions and lectures

TRAINERS NOTE

Elicit feedback from participants on the progress so far.

5 minutes

SESSION FIVE

MODULE FOR JOURNALISTS

Group Activity: Re-cap of Right to Information

AIM

From information to accountability, how journalists can use and promote the Right to Information.

TRAINERS NOTES

As the closing session this should provide final information/recap how journalists can use FoI and also what role they can play in a national campaign. This will involve a discussion about where journalist's rights are based (in communities right to information) and how we need their trust and support in any campaign. How could this be achieved?

SESSION FIVE

MODULE FOR JOURNALISTS

Group Activity: Feedback

AIMS

Get feedback from the participants on the training.

TRAINERS NOTES

Gather feedback forms from all the participants. Speak on the importance on continuity and follow-up action by reporting on the Right to Information and using the tools learnt at the workshop.

Trainer will also establish formal links between select participants for purposes of continuity.

Trainer will also emphasise the following:

- While CPA will not help future workshops and meetings financially, the Project Leader and Project Coordinator, along with other members from the organisation, will act as facilitators of discussions and workshops on the Right to Information across the country.
- Participants to organise meetings of this nature with local constituencies for continued and sustained dialogue on the Right to Information.
- A core group, including select participants from each sector the project will address, will form a network of grassroots Right to Information advocates and activists, who will be in touch with CPA.
- Their activities will be fed into the continued interventions of CPA in this field.

HANDOUTS

1

Organising Campaigns for the Right to Information

What is a campaign?

1. A planned, organised and sustained action to meet a certain objective
2. An expression of leadership

A campaign may be one or a combination of any of the following types:

1. Political – e.g. government policies or laws
2. Economic – e.g. salary or taxes
3. Educational – e.g. harassment
4. Organisational – e.g. establishing a new NGO

Why have campaigns?

1. To get economic and political concessions
2. To influence policy making
3. To oppose attacks and schemes that work against women
4. To expose injustice
5. to motivate others by raising the level of their capacity to fight and strengthen their commitment to the cause
6. To influence change
7. To strengthen unity with the other community groups and NGOs

How to plan a campaign

1. Identify and research the campaign issue
2. Formulate the campaign objectives
3. Identifying the campaign target groups
4. Formulate the campaign line
5. Select the campaign demands and slogans
6. Develop the concept for the campaign
7. Identify the campaign tasks and activities
8. Set the campaign organisation and resources
9. Determine the timing and time frame

Campaigns: A Planning Process

Set Goals / Objectives

A goal is the result you want to achieve e.g.

1. To engender the awareness of the Right to Information
2. To get local government officials give out information on request
3. Empower local communities to get information from public authorities
4. Increase media coverage of the right to information

Determine the strategies to achieve goals

For example, some strategies towards achieving goal #1 could include:

1. Identifying problems areas for the right of information in current laws
2. Select the most important aspects of the right to information
3. Summarise this information in a presentable form and disseminate to groups and individuals you have identified that might support your goals
4. Visit organisations to seek their support
5. Try to interest journalists and the media in the issues
6. Arrange public meeting to discuss the issues related to the right to information and raise awareness of these issues
7. Arrange meeting to lobby local government officials, officials in public authorities, and politicians
8. Conduct follow up visits for advice / support to all groups

Determine the strategies to achieve goals

Set dates that goals are to be achieved by

Set dates for different steps in the strategy

Allocate responsibilities

Decide who is responsible for what in the strategy

Set up system for review and evaluation

Setup a system for reviewing and progress against you plan

Setup a process for reviewing the plan itself

You may need to change the plan as time passes. Don't worry, this is normal !!

Individual work plans

It may be useful for individuals to map out their own work plans based on their own responsibilities in the overall plan

What are the stages of a campaign?

1. Preparation
2. The campaign
 - a. Launching
 - b. Sustaining
 - c. Concluding
3. Post campaign

What are the stages of a campaign?

- Short, simple, direct and to the point
- Easily remembered
- Reflect the sentiments of the target group
- Focus on a common enemy and solution
- Stress the capacity to change

Planning a campaign

Research	Purpose, issues, objectives, background information, problems, hardships, current activities, surveys etc.
planning	Develop campaign concepts, line and theme Identify target groups Allocate resources – time, money and people Determine campaign organisation Work out time frame for activities, timing of launching & sustaining Draw up a plan
Setting up a committee	Who is on it, who is it answerable to Role of Campaign Committee Time to meet Delegating responsibilities Organising of resources and activities Promotion of campaign themes
Monitoring	Who monitors How is it monitored Procedures for change How and when to conclude
Follow up	Did it achieve aim Identifying problems and successes Recording for future planning Data base

Possible campaign activities

- Rallies
- Meetings – public and association
- Use of media
- Slogans
- Leaflets and newsletter for community groups, CSOs, NGOs
- Lobbying
- Bulletins
- Pickets
- Banners / Posters
- Fund raising
- Use of public places
- Marches
- Symbolic actions
- Strikes
- Work to rule

HANDOUTS

2

Hints on speaking to a group

Before speaking ask yourself these questions

1. Who am I speaking to?
2. Why am I speaking?
3. How much time do I have or need?

Preparing the talk

1. Gather material

Collect ideas on what you might cover in your talk. This could involve looking up documents, talking to other people etc

2. Select the material that you will use

- Select the material you will use by thinking about the purpose of the talk. Look at the topic through the eyes of the audience to decide what material you will include.
- Be selective about content. It is better to make a small number of points well than many points badly.

3. Give your talks a structure

- Give the talk a structure with a definite:
 - a. Introduction
 - b. Middle
 - c. Conclusion

4. The introduction

- The introduction should get the listeners' attention and outline what you plan to say

5. The middle section

- Use a limited number of points
- Organise points in a logical sequence
- It may be helpful to announce each new section as it comes
- Try to make the talk more interesting by using examples, stories, illustrations

6. The conclusion

- A good conclusion should sum up the talk by bringing together the main points
- The speech should be a guide to action. The conclusion should be positive and give a lead. It may include a motion or resolution.
- Never ramble on or introduce new material in the conclusion

Hints on speaking to a group

1. Manner

- Take your time before you start. If you have butterflies, deep breathing helps.
- Look at the groups. Make eye contact
- Body language is as important as words. Don't be afraid to use gestures but don't overdo them. Be aware of personal mannerisms that might distract the group and try to cut these out

2. Voice

- Sound interested in your subject
- Be loud enough to be heard by everyone
- Vary the way you speak

3. Language

- Speak slowly and use pauses
- Use short sentences and simple words
- Avoid using jargon the listeners may not understand

4. Develop your own style

1. Be friendly and confident. Be yourself.

HANDOUTS

3

Case studies on the Right to Information

- The Eppawela Phosphate Mining Case

Plans by a US- Japanese consortium to undertake high intensity phosphate mining in the village of Eppawela in the 1990s sparked off protests by villagers, environmentalists, human rights activists and scientists. This was because the project would have depleted Sri Lanka 's non – renewable phosphate reserves and would have also lead to the displacement of 12,000 villagers.

Seven residents from the area challenged the project by filing a Fundamental Rights application in the Supreme Court in 1999. Their reasons were that their right of movement and residence , to occupation and to equality, which is guaranteed by the Constitution had been violated. Another reason put forward by them was that their right to information and public participation had been violated as the agreement between the company and the government had not been disclosed and no environmental impact assessment had been carried out, although it was required by law. The Supreme Court in a landmark judgement on the 2nd of June 2000, ruled in favour of the petitioners. The court ordered the government to release the agreement with the company and to desist from entering into any agreement relating to the Eppawela phosphate deposit without first carrying out and publishing a comprehensive study on the subject.

- The case of the Internally displaced persons (IDPs)

Approximately a million people have been displaced due to the ethnic conflict in Sri Lanka. They have had to seek refuge either with relatives or in camps and have had to depend on the government and on international humanitarian agencies for their basic needs like, food, healthcare and shelter. The government policies on the distribution of aid has been unsatisfactory and have been hidden in secrecy. Lack of access to information on entitlements and policies have led to discrimination and arbitrariness in the distribution of aid ie, in the form of delays in distribution and arbitrary distribution of rations. IDPs have had to rely on hearsay to ascertain their entitlements and the procedure to follow to obtain relief. The problems encountered by IDPs would be significantly altered if they had adequate access to information.

- Disappearances

Under the now defunct Prevention of Terrorism Act, wide powers of arrest and detention are granted to the security forces. Under this law a person may be detained for a renewable period of three months. It was a common occurrence for Tamil civilians in the North and East to be arrested and taken in for questioning under this law. The abuse, rape and torture which takes place in detention centres have been well documented and reported both nationally and internationally by human rights activists. Since 1996, hundreds of people have “disappeared” in the Jaffna peninsula, and these civilians were last seen at military checkpoints or in the custody of the security forces. Thanks to the intervention of international humanitarian agencies and the Human Rights Commission some of the missing were traced to detention centres, the bodies of some unfortunate others are found in illegal graves or are returned to their families with suspicious reasons given for their deaths. After a large number of complaints were filed by the families of the so called “disappeared” official policy was changed requiring officers to notify the next of kin when someone is arrested. However in reality the policy is implemented on an adhoc basis and families continue to face problems tracing their missing relatives.

- Reporting

The reporting of the conflict in Sri Lanka has been hampered by restrictions on access to the conflict zone and censorship regulations. As a result of this the citizens have had to form opinions on issues related to the conflict based on statements issued by the government, the military and the LTTE much of which is propaganda or misinformation. The number of those killed, wounded or missing in action is not known and neither the outcome of the various military operations or the plight of the people living in the areas of the conflict as a result of this is known.

- Taxation by the LTTE

The CPA team that visited Valaichenai after the communal riots in June 2003, spoke to Mr. Karikalan (then Eastern leader of the LTTE), and asked him, how tax revenue proceeds are spent and if the public have access to that information. Mr. Karikalan stated that this information, held in Kilinochchi, is only available for the purposes of the LTTE organisation and that the public will not have access to it. This is a problem because people need to know what the money is used for as it leads to transparency and accountability. This lack of transparency is a violation of the citizens right to know.

HANDOUTS

4

Supreme Court Rulings on the Freedom on Information and the Freedom of Expression

The grounds for restriction on freedom of expression in the Sri Lankan constitution goes beyond those allowed under international law or many international constitutions and have been subject to consistent criticism from civil society groups in Sri Lanka.

Judges have given a broader interpretation to 14(1) so as to include the right to information as can be seen by the following cases.

- *Visuvalingam v Liyanage* 1984 2 SLR 123
This was the first FR case that challenged the court to imply a right to information as part of the guarantee of freedom of expression. The interpretation of locus standi (who has the right to bring a case) was extended to include the recipient of information as well.

Wimalaratne J stated

“..... Public discussion needs for its full realisation the recognition, respect, and advancement, by all organs of government, of the right of the person who is the recipient of information as well. Otherwise the freedom of speech and expression will lose much of its value.”

Article 19 of the ICCPR states that everyone shall have the right to hold opinions without interference. In addition to this, it also states that everyone has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds through any media of his choice. This right shall be restricted only as provided by law and for

- 1) the respect of the rights or reputations of others
 - 2) for the protection of national security or of public order, health or morals.
- *Hewamanne v Manik de Silva* 1983 1 SLR 1. The Court held in this case that although the Constitution does not explicitly guarantee freedom of the press, that this right is an integral part of the right to expression.
 - *Joseph Perera v AG* 1992 1 SLR 199

Sharvananda CJ spelt out the scope of the constitutional guarantee of freedom of expression when he stated

“ One of the basic values of a free society to which we are pledged under our constitution is founded on the conviction that there must be freedom not only for the thought that we cherish, but also for the thought that we hate. All the ideas having even the slightest social importance, unorthodox ideas, controversial ideas, even ideas hateful to the prevailing climate of opinion have the protection of the constitutional guarantee of free speech and expression.”

In *Joseph Perera v. Attorney General*, the Supreme Court emphasised the importance to democracy of the public right to receive information and opinions from sources independent of the government. The court declared “Freedom of speech and expression consists primarily not only in the liberty of the citizen to speak and write what he chooses, but in the liberty of the public to hear and read what it needs...Freedom of discussion must embrace all issues about which information is needed to enable the members of a society to cope with the exigencies of their period. It is essential to enlighten public opinion in a democratic state; it cannot be curtailed without affecting the right of the people to be informed through sources, independent of the government, concerning matters of public interest. There must be untrammelled publication of news and views and of the opinions of political parties which are critical of the actions of government and expose its weakness. Government must be prevented from assuming the guardianship of the public mind. Truth can be sifted out from falsehood only if the government is vigorously and constantly cross-examined...”

In the same the court held that any restriction on freedom of expression be narrowly drawn; “Law that trench on the area of speech and expression must be narrowly and precisely drawn to deal with precise ends.”

- *Fernando v Sri Lanka Broadcasting Corporation* 1996 1 SLR 157

The ‘non-formal education programmes’(NFEP) conducted by SLBC were interrupted during broadcasting and the programmes were thereafter continued in an altered format. Wimal Fernando, claimed that his rights both as a listener and as a contributor had been violated under the free expression clause of the Constitution by this interruption. The court refused to acknowledge that the rights of the petitioner as a listener were violated. However, it did find that his rights as a participatory listener had been infringed, as the arbitrary termination of the NFEP had deprived him of the opportunity to articulate his ideas and opinions on that programme.

- *Gamini Athukorale v AG* 1997

This case challenged the Constitutionality of a bill seeking to establish a Broadcasting Authority to regulate the electronic media. The SC distinguished this case from the Fernando case, between the free expression rights of broadcasters on the one hand, and the right to information of listeners and viewers as an aspect of freedom of thought on the other.

HANDOUTS

5

Why is the Right to information Important?

Democracy

In a democracy like Sri Lanka, people relinquish their direct decision making powers to their elected representatives. The “rule of the people” requires more than the exercise of the electoral franchise. The citizen must be able to make an informed choice when casting their vote. In order to do so, people must have information about the issues at stake in order to form their own opinions. Furthermore, a fundamental value of democracy is the principle of equality. All citizens must be entitled to information regarding their rights and entitlements so as to be able to enjoy on an equal basis the full range of political, social and economic entitlements.

Accountability and Good Governance

Governments should be accountable to the people and the people should be aware as to what the government is doing. Right to information will ensure that people can hold public bodies accountable.

Participation and Openness

People should be involved in the planning process and must know how things are being done. For participation, people must have sufficient information about the nature of the projects and programmes. Openness suggests that policies are generally subject to prior consultation and public discussion and that there is a legally enforceable right of public access to government records, publicising of government functions and the right of the public to take part in various meetings.

Transparency

Transparency implies that government procedures are widely understood and decisions regarding the use of public resources are under scrutiny. In recent times there has been misuse, misappropriation and careless use of public funds. Therefore it is essential that there should be complete transparency in all public dealings. This would bring about proper control and use of public funds. Transparency will also help expose the corrupt and bring about punishment. Further, it will allow the honest to carry out their task without fear.

Rule of Law

The rule of law acts as a check on arbitrary governments and ensures that all citizens are treated equally and are subject to the law rather than the whims of those who wield political power. There must be a fair and just legal system and an effective enforceable system with the access to the legal system

Human Rights

People's ignorance of the full range of human rights to which they are entitled to under the Constitution and international human rights treaties ratified by Sri Lanka, are a serious impediment to people when their rights are violated and for the enjoyment of these rights.

HANDOUTS

5 – FOR JOURNALISTS WORKSHOP ONLY

The pivotal role of the Press

The pivotal role of the Press

Right to Information laws have now been passed in several states, but journalists have not used the law adequately says Aruna Roy

October 2002: The right to information has been discussed in this country for years. There have been significant developments in this direction in recent years, at Mazdoor Kisan Shakti Sangathan (MKSS), an organisation of peasants and workers that has no Secretary, no President and no Vice-President. Here decisions are made democratically by a group of approximately 25 people.

The involvement of the press has been an exciting part of the campaign initiated by MKSS. No doubt, the campaign has a lot of drama, with news of corruption and details of bills and vouchers that reveal exactly where and how the money has gone wrong. The press was, at the initial stage, surely attracted by the shocking nature of facts exposed by the campaign. (For example, the campaign stumbled upon an instance where records alleging that a number of tractor loads of stone had been supplied for the upkeep of a road turned out to be completely false.)

But in the course of the struggle, the press realised that the struggle for information as central to life and livelihood was in some ways much like a second struggle for independence in this country. It is the enabling right for all rights.

At the time of the framing of the constitution we had the right to freedom of expression, but no right to information. We could not access a master roll, a bill, a voucher, a list of people below the poverty line, anything within the government. It was all a big secret. When the press, the press institutes, the Press Council and the Unions of Journalists in Rajasthan got involved with the struggle, they went beyond the boundaries of journalism and identified themselves as citizens of this country. It is only in seeing ourselves as citizens and exercising our rights as citizens that we strengthen our specific categories, whether as activists working with the poor, or as journalists. This realisation has led the struggle a long way.

The power of information

A right to information law has now been passed in six states: Tamil Nadu (a bad law but it exists), Goa, Rajasthan, Maharashtra, Karnataka, and Delhi. Assam will be next. But why have journalists not used the law adequately? It gives them access to not only panchayat records, but to all kinds of information. Barring Maharashtra where one has to prove that he/she is a bonafide before accessing government information, the law in all the other six states gives unrestricted access to all government records. It is only in Goa that journalists have used the law. Why?

Traditional systems of information access in India have made journalists dependent on sources, who are people in power they must cultivate. Whether bureaucrats or politicians, much depends on the privilege and patronage of the individual source. The journalist may have a personal relationship or a

power-equation with the source. If he/she officially applies for the information, it is no longer a request within the system of patronage as the journalist is now exercising his/her right. This new relationship dilutes or replaces the original relationship. Persons in power who were once sources, are likely to be embarrassed by journalists' asserting their right to information. They prefer patronage and do not want to confer a right. The truth is that the larger battle will only be won when we claim our right and assert that we don't want patronage, we are equals. As citizens of this country we have just as much a right to see those documents as the bureaucrats.

What does a relationship of patronage do? Not only does it make journalists depend on very feudal relationships, it also makes them use the information they are fed regardless of the veracity of that information. Much of government information is so badly collected that the data is unreliable and useless. Much of it is falsified data.

An obvious example of this is the literacy campaign story in Rajasthan, which probably can be extended to other parts of India. District after district has been declared 'literate'. Yet, everybody knows that people of these districts are not literate. The government speaks of 100% literacy but we are not even at 50%. It is true that literacy levels have gone up, up 5% or 10%, but the government tells us lies. We tell ourselves lies, and the lies are published. We perpetuate these lies, so that eventually, no development takes place. If we are literate we don't require money for literacy. If we are literate we don't need literacy institutions. In the end this leaves us with nothing.

As people interested in the issue of development as a whole, we must ask ourselves: What are the facts? Why do we accept these facts? As Sevanti Ninan pointed out in a recent article, "Information is not only the prerogative of the press and the government, but people have information too, and people's information is often much truer than government facts."

Fact and fiction

The other appalling position today is the populist position that attributes terrorism in the country to minority communities and their actions. This same argument is extended to justify terrorism laws that exist in the country.

What are the facts behind terrorism? Do we really know them? Some of my more honest colleagues and ex-colleagues in the Indian Administrative Services admit that during the Bombay riots and specifically during the Indore riots, clear instruction was given down the line to ensure that members of only certain communities should be arrested. The police only arrested and harassed certain communities. Why weren't these facts reported? Why only the facts about terrorism? The populist positions today not only harm you and me but are destroying the secular fabric of this country. Barring a few who hold extreme fundamentalist positions, most Indians want to live in a secular environment. Populist positions are all the more ominous for women who stand to lose all the space and freedom they have if the secular environment is destroyed.

If we want peace, then we also need ethics in public life. At a conference some years ago, somebody said, "You can't have ethics in politics. It's passé." I find that very hard to accept! Because without ethics what is politics? Politics is enabling you and me and everybody else in this country to live in equity and social justice. If we don't have this what is the point of it all? At a recent visit to the Kishemghad college in the town of Kishemghad, Rajasthan, I was shocked to know two very significant facts from a survey of women supported by the University Grants Commission that had been conducted recently. When college girls were asked about the female image they liked most, the popular answer

was 'Sati Savitri'. Why Sati Savitri? Indira Gandhi, Rabri Devi, or even Jayalalitha, would have been more encouraging responses. The second disturbing piece of information from the survey was that when interviewed, a majority of working women said that given a choice they would prefer to stay home and not work. These responses seem impossible and unbelievable. Questions that arise immediately are "Which class of women were interviewed? Where were these women from?". These worrying images of women are preventing us from having a secular country.

A very real people's issue in this country is that 70% of India is covered in the small print on page three or four of the newspaper. Sometimes when we protest and create a public nuisance of ourselves we make it to the back page. Sometimes when these unfortunate awards come up, we are on the front page. But otherwise we are not recognised as existing.

A Free Press must use Right to Information

The systems that prevent the flow of information to all parts of the country and consequently to people everywhere are cause for concern. Within Rajasthan for example, what happens in Ajmer is not published in Udaipur. What happens in Udaipur is not reported in Jaipur. The press must fight to ensure that news gets around. The right to information is the citizens' right to information, and it is the obligation of the press to act as a watchdog and ensure that the citizens' rights are enforced.

If we look outside India, in the U.S. and Canada for example, the right to information law has been used extensively by the press. Why is the press in India not using the law? The prime reason for this is because there is no condition penalising the government if citizens are not given access to information within a specific time limit.

But no journalist union has said anything against the right to information laws. We need the law amended. We need information within strict and reasonable deadlines. In the U.S. and Canada the right to information is time-bound. In fact in these two countries, members of parliament have used it more than anyone else. When they do not get required information from their bureaucrats, they use the Right to Information Act. Similar use of the law has taken place in Goa, when members of the legislative assembly could not access information through usual channels.

Another question that is significant is "Why are most of our papers family-owned?". We have no newspapers that are joint-stock companies, which are publicly accountable. Accountability is required not only of the government or of NGOs and movements but also of the press. We want accountability from the press as well. If you look at the national struggle for independence, or any other movement, civil society has had a very important role. Today this is all the more true, especially of the press who as members of civil society can use journalism as a tool.

Towards equality and social justice

Corruption is of two kinds. The first kind is economic corruption and a close examination would show that we would have a respectful country that can rely on its own resources, if so much money was not being siphoned off. Then, we would not need to go begging with our bowls to the outside world. The second kind is the arbitrary (ab)use of power. It is the killing of adivasis in Orissa and in other parts of the country. It is the cutting off of legs of Dalits in Rajasthan. The arbitrary use of power has to be stopped, whether it is by the police, the administration, or other powers.

To stop corruption and achieve greater equity and social justice in our society, we have to have transparent governments, since they will be accountable. Without an accountable government there is no future. For transparency and accountability we need to exercise the right to information law, and governments have to organize themselves to deliver information speedily.

October 2002

Magsaysay awardee Aruna Roy is an activist with the Mazdoor Kisan Seva Sanghathan and the Right to Information Campaign in Rajasthan.

HANDOUTS

6 – INTERNATIONAL FEDERATION OF JOURNALISTS

Excerpts from a Manifesto for a Democratic Media Culture

The international Federation of Journalists looks to the future with confidence. We believe the professional journalist, organised in free and independent trade unions, play a key role in the creation and maintenance of a democratic culture.

The IFJ believes that democracy depends upon the extension of freedom of expression and social justice worldwide.

The IFJ insists that democracy is fully respected when there is an understanding of the special and particular role of the media in democratic society.

The IFJ believes that the role of media in democratic society is to apply the principles of press freedom upon which the freedom of expression and opinion relies.

The IFJ believes media freedom can only be achieved when there is recognition that:

1. A free, independent media reflecting diversity of opinion is a precondition of democratic societies;
2. The free flow of information is the life-blood of communities whether they be based on geography, ethnic origins, shared values or common language;
3. Freedom of expression and opinion can only exist where citizen's rights to freedom of information and the right to know are guaranteed;
4. The professional integrity and independent role of journalism have to be respected to ensure a democratic and pluralistic press around the world;
5. Information and cultural material of communities must not be threatened for political or economic reasons by technological developments.

The IFJ calls upon all governments to provide a legal framework which will ensure the freedom of information, freedom of access to sources of information, and the freedom to practice professional journalism without pressure from either political or economic interests.

The IFJ demands full and universal recognition of the right of freedom of association and the right of journalists unions to bargain collectively on behalf of their members.

The IFJ opposes the use of information media by governments, state authorities or proprietors for their own political or commercial or personal advantage.

The IFJ promotes and campaigns for the creation of material conditions for the development of freedom of expression and opinion.

The IFJ seeks endorsement at local, regional, national and international level of the IFJ Code of Principles on the Conduct of Journalism which forms the basis for universal standards of conduct for the practice of professional journalism

The IFJ believes media professionals, journalists and editors and publishers, both the written and audiovisual media, should engage in a dialogue internally and with governmental and intergovernmental authorities on the questions of media policy.

Such structures for dialogue should bring together legitimate representatives of workforce, management and consumers to discuss:

1. the economic and social development of the media, and in particular, the need to limit monopolisation which can threaten diversity of information sources necessary for the practice of democracy of all levels of society.
2. the problems of unemployment and job insecurity whether caused by concentration of mass media ownership or otherwise;
3. the practical implementation of laws, policies and standards designed to assist in the development of a free and pluralistic media;
4. professional, economic and social conditions within the media including:
 - a. the development of openness and transparency in the business and social affairs of all media enterprises;
 - b. the maintenance of independent and recognised systems of professional training which reflect the need for high quality journalism, independent and distinct from political and commercial imperatives;
 - c. legal recognition of mechanisms for the defence of freedom of information and independent journalism such as editorial statutes;
 - d. the creation of secure working conditions within media enterprises, based upon equality of opportunity and including limitations on exploitation of freelance and casual labour.

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HANDOUTS

7 – INTERNATIONAL FEDERATION OF JOURNALISTS

Legislating for a democratic media: Principles of a Freedom of Information Act

General Principles

- The International Federation of Journalists, the world’s largest organisation of journalists which represents more than 400,000 in 94 countries, looks to the future with confidence.

We believe that professional journalists, organised in free and independent trade unions, play a key role in the creation and maintenance of a democratic media culture.

- IFJ believes that democracy depends upon the extension of freedom of expression and social justice worldwide.

The IFJ insists that democracy depends upon an understanding of the special and particular role of the media in democratic society.

- The IFJ believes that media must respect the professional and ethical principles of press freedom upon which the freedom of expression and opinion relies.

The IFJ defines press freedom as:

“that freedom from restraint which is essential to enable journalists, editors and publishers to advance the public interest by publishing, broadcasting or circulating facts and opinions without which a democratic electorate cannot make responsible judgements”

The IFJ believes this freedom can only be expressed where there exists:

- a. A free independent and media reflecting diversity of opinion;
 - b. A free flow of information enabling full democratic exchange in all communities, whether they be based on geography, ethnic origins, shared values or common language
 - c. A free flow of information enabling full democratic exchange in all communities, whether they be based on geography, ethnic origins, shared values or common language;
 - d. Statutory defense and protection of citizens rights to freedom or information and the right to know;
 - e. Respect for the professional status and independent role of journalists
- The IFJ considers that the treatment of news and information as a commodity must not override or interfere with the duty of journalist to inform their audience and that media must be administered according to the highest standards of transparency and openness.

- The IFJ believes that the responsibility for ethical conduct and maintenance of the highest standards in journalism rests with media professionals
- The IFJ strongly believes that the law should not interfere in matters which are the proper responsibility of working journalists namely, the preparation, selection and transmission of information.

Freedom of Information Act

A national Freedom of Information Act should include the following principles:

1. Everyone has the right to obtain information from public authorities. This right shall apply regardless of the form in which the information is held.
2. In all laws and decisions concerning the right to obtain information, the public interest in having the information shall be the first consideration.
3. Exception to the right to obtain information may only apply to clearly and narrowly defined categories of information withheld in order to protect public security, or, in equally well defined terms, to protect private life.
4. Information must be easily obtainable. Public authorities should establish registers to enable citizens to locate documents.
5. If a request for information is denied the reasons should be given in writing as soon as possible. There should be a right of appeal against a refusal to disclose information to an independent authority, including the possibility of judicial review.
6. No official and no journalist may be prosecuted, reprimanded or suffer any loss of status for giving information to the public or to media, when such information is in the public interest.
7. Information that is directly available must be given immediately, all other information as soon as possible.
8. Once information has been made public, any justification for trying to stop further publication will be overridden by the public's right to know.
9. No free should be charged for providing information other than the direct costs of copying any documents released.
10. All journalist must have the right maintain professional secrecy and to protect the identity of confidential sources including researched material.

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Feedback Form

National Advocacy Campaign on the Right to Information

Workshop for Journalists

Dear Sir / Madam,

Thank you for being part of this workshop. Please take a few minutes to complete this form. Your feedback is essential and will help us better organise events on this nature in the future.

1. Your name (optional) _____

2. Organisation _____

3. Designation _____

4. What did you think of the workshop?

Very Good Good Average Poor Very Poor

5. What did you like most about the workshop?

- Content
- Presentation
- Background Material
- Group Discussions
- Advocacy Tools

6. Other comments on the workshop

7. Have you attended a workshop of this nature in the past? If so, where?

8. What improvements would you like to see?

9. What kind of information do you most frequently need access to?

10. Why do you need to access this information?

11. In what language do you need this information? In what language do you usually get it?

12. What problems do you have when you try to access this information?

13. How do you think these problems can be addressed?

14. Do you think workshops of this nature help address the problems you have outlined above?

15. Would you like to be contacted for further workshops of this nature?

16. Any other aspects that you would like to point out:

17. Your contact details if you wish to be contacted for workshops in the future (please include address, email, telephone, mobile phone, fax etc)
