



12 December 2012

Media Council of Bermuda
Suite 1235, 48 Par-la-Ville Road
Hamilton HM 11

Attention: Tony McWilliam (via e-mail c/o: tmcwilliam@bermudasun.bm)
Chairman, Media Working Group

Dear Sir:

**Re: Complaint submitted 30 March 2012
Kentucky Fried Chicken (Bermuda) Limited v. The Workers Voice
Media Council ruling issued 12 June 2012**

Further to the above referenced complaint made by Kentucky Fried Chicken (Bermuda) Limited ("KFCB") against a Media Council of Bermuda (the "Council") member, The Workers Voice ("WV"), and the subsequent ruling issued by the Council dated 12 June 2012; and further to my numerous communications with you over the past several months in follow-up, I write to formally register KFCB's disappointment and dissatisfaction with the Council's failure to enforce its own ruling against a member that was found to be in violation of the Council's Code of Practice.

I observe that in the Council's ruling of 12 June 2012, WV was found to be in violation of the Code of Practice and was directed to publish a brief corrective statement in remedy. The remedy prescribed by the Council was not onerous by any reasonable measure and should have been easy to implement by WV if it was truly committed to the Code of Practice and its voluntary membership in the Council.

Since the date of the Council's ruling, not less than five (5) additional issues of The Workers Voice have been published, none of which appear to make any reference to the Council's ruling or comply with the remedy directed by the Council. This lack of compliance by WV shows contempt for the Council and should not be allowed to continue without punitive sanction if the Council is to have any credibility as a self-regulating organisation and protector of high standards of moral and ethical conduct in the media industry.

The lack of transparency shown by the Council in refusing to share with KFCB details of discussions held with WV which might provide insight into the reasons why WV has not complied with the Council's June ruling is also disturbing.

If members of the Council and co-signatories to the Code of Practice cannot be trusted to abide by the Council's rules, and if the Council is unwilling or otherwise unable to compel compliance by its

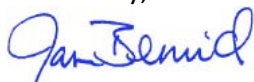
Kentucky Fried Chicken (Bermuda) Limited
21-23 Queen Street, Hamilton HM 11, Bermuda

membership and/or impose penalties for non-compliance, then the Council is not viable as a self regulating body. Therefore, KFCB calls upon the Council to either a) immediately enforce its earlier ruling against WV; else b) publicly concede that the organisation is not workable as a self regulating and disputes adjudicating body and therefore disband.

It constitutes a deception on the public if the Council continues to promote itself as a body of members who are bound by the Code of Practice even in the face of evidence that one or more members do not take the Code seriously. Further, where the Council offers a complaints resolution system which is available to the public only upon the complainant's commitment to forgo legal action in respect of the matter of the complaint, there is an implied obligation by the Council to adjudicate any complaint received and enforce resultant rulings in a fair, unbiased, and timely manner to ensure equitable treatment for the involved parties. Continuing to promote such a complaints resolution service when there is either no ability or will to enforce a resultant ruling represents a further deception of the public.

KFCB takes very seriously any unfounded allegations or otherwise defamatory comments against it which are published. KFCB entered the Council's voluntary complaints resolution procedure in good faith and trusted that the Council would fairly consider its concerns and follow through on appropriate action thereafter. To date the Council has abused KFCB's trust by failing to follow-through on its own ruling and additionally failing to transparently share any explanation for its member's non-compliance. While KFCB is sympathetic to the Council's limited resources, KFCB believes that six months from date of ruling should be more than adequate time to deal with the Council's only reported complaint case this year. These failings of the Council are disturbing to KFCB as and are surely a matter of public interest.

Sincerely,



Jason Benevides
Controller

- c.c. Meredith Ebbin, Executive Officer, Media Council of Bermuda (meredithebbin@ibl.bm)
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