

Extract from remarks by the Press Ombudsman, Professor John Horgan, at the formal launch of the Press Council of Ireland and the Office of the Press Ombudsman, The Bank of Ireland, College Green, Dublin, Wednesday 9th January 2008
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What we are witnessing here today is something which is part of a world-wide development but which has also, and very properly, a uniquely Irish dimension. In recent years it has increasingly been recognized that the press needed to balance its claims to be the Fourth Estate with actions designed to show that it, too, accepts proper measures of accountability. At a crude level, of course, there has always been accountability in the sense that newspaper reading is not compulsory, and that, particularly in an era when media choices have become so widespread and varied, inadequate newspapers will suffer commercially and may ultimately expire.

But this is an over-simplified view. There are issues of standards, of accountability and of journalistic behavior that are not amenable to simple or individual consumer choices. All professions now accept the need for regulation; the only issue is what is the appropriate regulatory mechanism. The one we have adopted, although supported by the industry, is independent of the industry. It bears some similarities with regulatory mechanisms elsewhere, but has also been informed by specifically Irish experience and needs. We haven't been re-inventing any wheels unnecessarily; and we have invented a few useful ones of our own.

Much has been made of the fact that part of the impetus for these developments has been to provide members of the public with the opportunity of quick, fair and free redress for errors of fact or of judgment in our newspapers that in the past might well have been the subject of expensive and protracted legal action. The new structure certainly offers this opportunity, and it is important to draw attention to some of the positive changes in the Defamation Bill as they affect our new structures, and to express an appreciation to the Minister for Justice for his support in our enterprise.

In this context, the efforts of the Press Council and of my Office to encourage best practice right across the print media, and the support which editors, journalists and proprietors are giving to these new developments, has the potential to transform, for the better, relationship between all Irish newspapers and periodicals and their readers, and to ensure that the courts deal only with the really serious issues for which they are primarily designed.

But many of the problems that readers have with the press are ones that have no obvious legal remedies, and perhaps no legal remedies at all. This is where the Press Council and the office of the Press Ombudsman have much to contribute. But it is also important to remember that we are only part of the overall complaint handling system for the press, and that at the most basic level it is still important for readers who have issues with the press to take these issues up directly, in the first instance, with the newspaper or magazine itself. In fact, our procedures make it clear that in the great majority of cases this is what they will have to do in any case.

Particularly where newspapers are concerned, it is now the case that their internal procedures for handling complaints have become much more sophisticated and effective in recent years. Indeed, it is less complicated for readers, and much less time-consuming for newspapers, if individual complaints can be handled effectively at the local level.

Readers can now be encouraged in the belief that, precisely because the Press Ombudsman and the Press Council are now in operation, their direct interface with the editors and journalists of the newspapers they read carries more force and can be engaged in with conviction and a sense of entitlement.

Editors and journalists who have signed up to the new Code of Practice will know, for their part, that responding directly, honestly and fairly to readers will engage readers' loyalty and commitment more effectively than any giveaways or any number of focus groups.

However, there will always be cases in which the problem cannot be solved at the local level, and this is where the new structures assume greater significance. If the Office of the Press Ombudsman or the Press Council itself is called into play, the issues concerned will be addressed quickly, fairly, and with equal respect for all the parties involved. The role of the Ombudsman may sometimes coincide with that of the consumer advocate, but it should not be confused with it.

Readers will recognize that mistakes in newspapers can be the result of many factors, including the pressurised environment in which our newspapers are produced. Newspapers, for their part, are being encouraged to leave behind them – as many are already doing – the culture of defensiveness which tended to characterize some of their responses to criticism in the past.

Criticism should always be taken seriously, particularly when it is supported by facts and by evidence, rather than couched in sweeping generalizations. That great journalist, Paul Foot, once remarked that “facts are the gold standard of comment”, and it is an observation which is as relevant to journalists as it is to their critics. Of course, some people criticize the press for different reason - because they believe it to be important, because they want newspapers and periodicals to be better than they already are, and because they believe that this is a legitimate expectation.

It is important to recognize, at the same time, that the Press Ombudsmen and the Press Council are not policemen of taste. In the matter of taste, the press – like many other manifestations of society – can sometimes be imperfect. But poor taste is, at the end of the day, not a criminal offence. At worst, it is part of the price we pay for a free press, and it is always something which readers, as consumers, can punish by deciding to take their custom elsewhere.

Some criticism, on the other hand, echoes an older and, I would hope, passing culture – one in which notions of guilt, punishment and retribution loom large. But persuasion and voluntary cooperation in the new regulatory system are stronger pillars on which to construct a free press. The core elements of the role of the free press – and here I am, in a sense, paraphrasing the Code of Practice – must include truthfulness (which embodies, but is not limited to, accuracy), respect for the rights of others, particularly the weak and vulnerable, and a conviction, demonstrated in practice, that public service is not exclusively the prerogative of the public sector.

Journalists and editors, for their part, may also usefully remember that the function of accountability that they exercise on behalf of their readers is wielded with more power than they sometimes realize. It is certainly part of their function to demand proper accountability and, on occasion, to hold the feet of the powerful to the fire. But newspapers are part of the democratic system, not a substitute for it; and those they may have occasion to criticize are also human beings with families and friends, and with rights, either as public or as private individuals, which are now formally recognized in our Code of Practice.

However well or otherwise newspapers match up to their own standards and those expected of them by others, they – and their critics – both have something vital to contribute to the creation, development and growth of civic society, a society characterized by mutual respect, shared basic values, and a sense of common purpose. Our objective is to provide an independent, quick, fair and free method of resolving complaints in a society which also values press freedom. This provides a new context within which the inevitable conflicts can be managed productively. It will also, I hope, enhance public confidence in the role of the print media as a vital component of our public life.

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