

**Extract from address by Professor John Horgan, Press Ombudsman, at the opening of the Kate O'Brien Weekend, Limerick.  
Friday, 29 February 2008**

The creation of the Press Council of Ireland and the Office of the Press Ombudsman is a development that has, it is true, been some time in coming. And its arrival has not been without controversy. The pressing need to reform our laws on defamation was indeed one of the driving forces behind the initiative taken by the print media generally, almost five years ago now, to explore the possibility of setting up a new regulatory system for themselves. That reform is now in train and, although it has not been finalised, it promises to make some significant changes in our libel laws for the first time in almost half a century. This is no small achievement, and both the present Minister for Justice and his immediate predecessor are entitled to credit for it.

In an era when the relationship between politicians and the media has often been watchful, and sometimes mutually antagonistic, this represents a recognition by both that there are areas in which they can cooperate for the good of the community at large.

But that relationship has not been the only factor in what has happened. It has sometimes been said in the past, and not always unfairly, that the media are keen for everyone else's activities to be regulated, but less enthusiastic about any control being exercised over their own. The new model disposes of this argument by creating a structure which is fundamentally independent, both of media and of government, and which holds out the promise of a regulatory system which is fair, free and balanced.

The objects of such a regulatory system are twofold. Much attention has been paid, understandably, to the first objective – to provide a system for those who have complaints about the way the media may have treated them. They now have the protection of a Code of Practice to which the newspapers and periodicals concerned have signed up, and that can be used to vindicate their rights in cases in which that Code has been breached.

The decision about whether the Code has been breached in any case is not a matter for individual journalists or editors, but for the Press Ombudsman and, in certain circumstances, for the Press Council itself.

Secondly, the Code also emphasises the rights as well as the responsibilities of a free press. It is an expression of the fundamental truth that newspapers and periodicals exist primarily to serve the public, and that journalistic practices and activities which serve the public interest will also be defended and protected.

Nothing, of course, is always neat and tidy. Events in society as a whole, and the relationships between the media and the public, frequently demonstrate that there are occasions when rights clash. The right to privacy, for example, is central, but in no society is it absolute. Sometimes it clashes with the fact that certain critically important information should be in the public domain if people are to be able to make informed and responsible decisions about public affairs generally.

Getting the balance right is not a matter of passing a few laws here and there, or even of drawing up a Code. It is something that has to be worked out over and over again, and that will with luck become easier to ascertain as the new structures begin to do their work and decisions are made on different issues.

In the business of managing change, we all have something to learn. Journalists will recognise that meeting legitimate complaints half-way will enhance the prestige of their publications, not detract from it. And members of the public will realise that, even where the Code may have been breached, the process of conciliation contains many options short of hanging, drawing and quartering the editor.

There is some scepticism about the effectiveness of the new structures, and that is understandable: there isn't, as yet, a track record there for people to see and discuss. But there is also substantial goodwill, not least on the part of newspapers and periodicals, and a desire to make the structures work for the benefit of all.

In the medium and longer term, the new structures offer – not just journalists but the public at large – a guarantee that the publications which sign up to them and support them offer their readers something which is really vital. It offers a guarantee that, in a world characterised by huge fragmentation of media, by a digital explosion that is drowning us in information whose reliability we cannot assess and we do not know we can entirely trust, that there are some media which still maintain the values of reliability, accuracy, authenticity – and the willingness and ability to put things right when they go wrong, as inevitably they do from time to time.

This is a compact between publication and public – it is perhaps no accident that the words are so similar. The media of the future will take many forms, and indeed many of today's newspapers and other publications will be in some respects unrecognizable in twenty or thirty years' time. But quality will always count, and will never be out of date.

Independent regulation, supported by the media themselves but with the interests of the public at its heart, is an essential ingredient of a democratic society.

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For more information about press regulation, the Press Council of Ireland, or the Office of the Press Ombudsman, or details of how to make a complaint against a newspaper or magazine, or copies of the new Code of Practice, are available from the Office of the Press Ombudsman, 1, 2 & 3 Westmoreland Street, Dublin 2 or can be found on the website [www.pressombudsman.ie](http://www.pressombudsman.ie)

29 February 2008