

NEWSLETTER OF THE PRESS COUNCIL OF IRELAND AND THE PRESS OMBUDSMAN



Office of the Press Council of Ireland
and Press Ombudsman

1, 2 & 3 Westmoreland Street
Dublin 2

Telephone: Lo-call 1890 208 080

Fax: 01-6740046

info@presscouncil.ie

info@pressombudsman.ie

Professor Thomas Mitchell (left) Minister for Justice, Dermot Ahern TD, and Press Ombudsman, Professor John Horgan, at the Launch of the Annual Report.

Inside this issue:

Reform of defamation law 1

Launch of First Annual Report 2

Ombudsman's address to Samaritans' AGM 3

Cases resolved 4

Statistics 5

Press Council, Ombudsman and publications to benefit from reform of defamation law

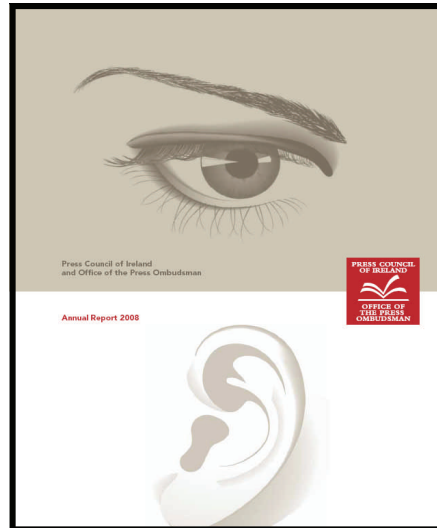
A commitment to ensure the early passage of the Defamation Bill was given by the Minister for Justice, Mr. Dermot Ahern, when he launched the first Annual Report of the Press Council and the Office of the Press Ombudsman in Dublin on 31 March.

The Bill, which will empower the Minister to recognise the Press Council and the Press Ombudsman, is a key element of the new independent regulatory system for the print media in Ireland, and will give member publications important new protections under the law as well as conferring qualified privilege on the Council and the Ombudsman. The Minister said that he hoped it would become law before the summer recess.

The Minister, in his [speech](#), expressed his satisfaction with the work of the new structures to date, but also indicated that the new draft law on [privacy](#), which is on the order paper of Seanad Eireann but which has not yet been debated, continued to be one of his objectives.

The Press Ombudsman said "We have a way to go. It is still not possible for newspapers to apologise for genuine errors - even though they may want to do so - without exposing themselves to potentially horrendous and unquantifiable legal and financial consequences. A change in this situation, as is promised in the current Defamation Bill, will actually add to the credibility of the press as few other measures could. It will hugely benefit my work as Press Ombudsman, as well as affording complainants the possibility of a solution that does not involve the high-stakes lottery of the legal system." Click [here](#) for full speech.

LAUNCH OF FIRST ANNUAL REPORT



The launch of the first Annual Report in March was attended by numerous journalists and the editors of a number of national and regional newspapers and periodicals that are member publications of the Press Council, as well as RTE and other broadcast media.

The Chairman of the Press Council, Professor Tom Mitchell, told the meeting that the Code of Practice was both a safeguard of high standards in journalism and of the high place which a free press should hold in our society. He said that the long gestation of the Press Council of Ireland has produced a model of press regulation that is in many ways unique, and will be carefully studied around the world as an innovative third way that is neither self-regulation nor government regulation, but independent regulation that, in its operation, is free from any form of control or influence by either the State or the press industry. Click [here](#) for full text of speech.

The Press Ombudsman, Professor John Horgan, told the meeting that the willingness of publications to correct and clarify where necessary would add to their reputation in a world where the vital channels of public information increasingly risked being clogged by a torrent of misinformation. The public as a whole, he said, would benefit from the knowledge that serious complaints are taken seriously, and that they can increasingly rely on their print media for relevant, useful and reliable information about the world in which they live. Click [here](#) for full text of speech

Click [here](#) to view Annual Report.

Click [here](#) to request printed copy of Annual Report.



COMPLAINTS RESOLVED

Some complaints are resolved through conciliation, and those that cannot be resolved through conciliation are decided upon by the Press Ombudsman. Some examples are below. Details of all cases are on our website and can be viewed [here](#).

Conciliated Cases

A woman complained that a photograph of her husband was published in error by the Irish Daily Star. The photograph was accompanied by an article which stated that he was the father of a named woman whose photograph was also published. The complaint was resolved after the newspaper apologised directly to the complainant for the error.

A woman complained about a number of statements which she said were inaccurate or misleading, contained in an article about foreign adoptions published in the Irish Independent. The complaint was resolved when the newspaper and the complainant agreed to the publication of a letter from her setting out her views on the matter.

Decisions by Press Ombudsman

Leonard and the Connaught Tribune

The Press Ombudsman decided that the Connaught Telegraph had offered to take sufficient remedial action to resolve a complaint by a man that the newspaper had failed to take account of all the documentation on the public record about a local planning issue in which he was involved. For full decision click [here](#).

A Surgeon and the Irish Mail on Sunday

The Press Ombudsman decided to partially uphold a complaint made by a surgeon about an article on cosmetic surgery for young people, and not to uphold other elements of his complaint. The article concerned was based on a subterfuge in which a reporter posed as the mother of a 16 year old girl patient, and an actress posed as her daughter. Both the complainant and the newspaper appealed different aspects of the Press Ombudsman's decision, and the Press Council subsequently decided that neither party had adduced sufficient grounds to warrant a full consideration of the appeals concerned. For full decision click [here](#)

Mr Sean Quinn and Quinn Insurance Ltd. and the Sunday Tribune

Mr Sean Quinn and Quinn Insurance Ltd. made four complaints about four separate articles published by the Sunday Tribune. For full decisions click [here](#).



PRESS OMBUDSMAN ADDRESSES ANNUAL GENERAL MEETING OF THE SAMARITANS IN CORK

Press coverage of suicide can have a powerful effect on public perceptions, on public discourse and on public policy, the Press Ombudsman said when he addressed the Samaritans AGM in Cork in March.

He said that because every suicide is different, it is impossible—even if it were advisable—to devise a sort of policy strait-jacket to be donned by reporters every time they are called out to a suicide tragedy. He said the basic tools for reporting suicide are the same basic tools as for everything else—accuracy, timeliness and respect for human dignity. However, he pointed out that in cases of personal grief or shock, there were two gold standards: sympathy and discretion.

He went on to discuss Principle 5 of the Code of Practice for Newspapers and Periodicals, which relates to privacy, and which states that sympathy and discretion must be shown at all times in seeking information in situations of personal grief or shock and that in publishing such information, the feelings of grieving families should be taken into account. He said that this provision of the Code represented a sea-change in the norms of accountability governing the Irish print media generally, in that now there is an independent system that can decide whether the boundaries of sympathy and discretion have been crossed.

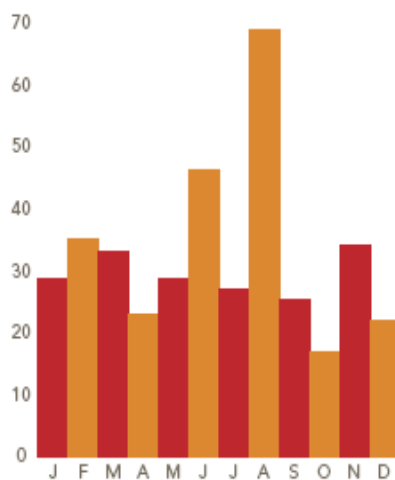
He added:

“Reporting of suicide by the press can play a crucial role in many ways. Reporting that respects the human dignity of those who have died and of those who have been bereaved can not only echo but validate the grief of those who have suffered loss. Reporting that avoids hurtful speculation or unnecessary detail can still be truthful and accurate. At a remove from actual incidents of suicide, thoughtful and well-researched journalism can open up and explore the many issues that have a bearing on suicide – mental health, social supports for people under stress, public policy and resource allocation, to name only a few.”

Click [here](#) for text of full speech

SOME STATISTICS FOR 2008.....

Number of complaints received



Type of publication	
Periodical	(1) 0.4%
Regional newspaper	(15) 5.6%
Non-member publication	(45) 17%
National newspaper	(210) 77%



Principles of Code of Practice cited by complainant		
Children	(6)	2%
Court Reporting	(10)	3%
Respect for Rights	(29)	8%
Fairness and Honesty	(37)	10%
Distinguishing Fact and Comment	(38)	11%
Privacy	(39)	11%
Incitement to Hatred	(74)	20%
Truth and Accuracy	(128)	35%



Formal complaints concluded		
Referred to		
Press Council	(2)	4.1%
Conciliated	(12)	24.5%
Decided by		
Press Ombudsman	(35)	71.4%

All statistics for 2008 are available in our [Annual Report](#)