

## Watching the watchdog: Making self-regulation work in journalism



A new report from the *Ethical Journalism Network (EJN)* looks at how journalism is monitored in 16 countries across five continents and the impact this has on public trust. EJN Communications officer *Stefanie Chernow* and director *Aidan White* discuss how to make self-regulation work in the UK and elsewhere.

Almost three years after the dark heart of British journalism was exposed in the phone-hacking scandal, the stench of corruption inside journalism is as pungent as ever. In February 2015 a leading journalist resigned from the *Daily Telegraph* over censorship by management of stories that exposed the dodgy tax dealings of HSBC bank, a major advertiser. Days later, the *Daily Mirror* group, after years of lies and evasion, finally admitted that it too had been practising the same techniques that led to the closure of competitor News Corp's *The News of the World*: according to prosecutors the *Mirror* was guilty of **phone-hacking** on an "industrial scale."

And there's more. A whistleblower writing about his experience in the newsroom at *Daily Mail Online* **confessed recently**: "The Mail's editorial model depends on little more than dishonesty, theft of copyrighted material and sensationalism so absurd that it crosses into fabrication".

Given such high-profile and damaging revelations it's not difficult to understand why public trust in journalism is at rock bottom. And it's not just in Britain. The recently published report by the Ethical Journalism Network entitled **The Trust Factor: An EJN Review of Journalism and Self-regulation** finds that media across the globe are often lap dogs of governments and businesses as a result of intense political and business pressures.

The report examined 16 countries, and while the climate in each country is unique, the notion of media as a "fourth estate" is increasingly strained. Across the globe media should be speaking truth to power and exposing wrongdoing among the rich and powerful, but in most countries watchdog journalism is only practised by a small community of dedicated and committed journalists.

The report asks a question about who is holding media to account for their failures. It examines systems of self-regulation and tests whether they have any credibility both within journalism and with the public at large.

Most media and journalists prefer systems of voluntary self-regulation. They don't want governments or judges interfering in editorial content, but when systems of self-regulation fail, as in Great Britain, it results in growing public anger and demands for tougher rules to keep newsrooms in line. Sometimes it is even worse. In Brazil, for instance, the report reveals scores of acts of violence against media staff over editorial corruption.

British journalism has had its own period of hand-wringing over editorial misbehaviour but the latest revelations only suggest that two years on from the Leveson Inquiry, media are as abject as ever in their failure to clean up their act. But elsewhere the situation is much worse.

In other countries — Egypt, Hungary and South Africa, for instance — self-regulation is hobbled by government interference, often unspoken and indirect. Journalists have few opportunities to work freely and according to conscience when the dark hand of politics is operating in the newsroom.

One country, Norway, emerges from the pack with a good story to tell. All media players – in television, online and print – follow one, single code of conduct which applies to media on all platforms. Norway is also a pioneer of ground-breaking transparency and its Press Complaints Commission allows public access to complaints hearings, but even here journalists struggle for public credibility with critics noting that media are notoriously reluctant to admit their mistakes. A **national poll last year** suggested public trust in Norwegian media is still depressingly low.

The EJM report tested quality of self-regulation at the level of the individual, the media organisations and across the media sector. It finds that for self-regulation to be effective journalists, media organisations, and the industry at large must not only have a recognised code but also a means by which the code is enforced.

But this is unlikely to work unless there are systems of good governance in place within media houses and where there are systems to prevent conflicts of interest involving political and business actors. To help media the EJM has created a checklist for the minimum requirements a needed to ensure systems of self-regulation are fit for purpose.

## The EJM's checklist for self-regulation systems

### At the level of the individual

Ethical journalism starts with the ears on the ground and the fingers on the keyboard. It is vital that each journalist is not swayed by personal political bias or business pressures. The core values of accuracy, accountability, independence, impartiality, and humanity are great in theory but sometimes working conditions make these almost unworkable. To help journalists, the EJM asks:

- Are there codes of conduct governing the work of journalists?
- Are codes of conduct made part of contracts of employment for journalists?
- Do journalists and editors have the right to act according to conscience?
- Are there whistleblowing systems for journalists to disclose acts of corruption or unethical behaviour?

### At the enterprise level

The key element, of course, is the culture of management inside media. Companies need to create an environment where ethics can be applied and self-regulation can work both in the newsroom and the boardroom. Media managers have a special responsibility to protect newsrooms from undue pressures from commercial or political interests applied by owners or advertisers. Editorial independence isn't just a theoretical concept; it has to be created in practice. Every media manager and owner should ask himself the following:

- Do media houses have internal systems for dealing with the complaints and concerns of the public?
- Are there ombudsmen, readers' editors or other editorial posts charged with these responsibilities?
- Does the company have editorial guidelines and internal governance rules outlining good practice and codes of conduct?
- Is there internal transparency and systems for dealing with conflicts of interest at the level of the newsroom and also the boardroom?
- Is there active promotion of information about how to complain?

### At the industry/national level

The EJM report shows that to work media self-regulation must be well respected throughout the industry at large and with the public. In print media, voluntary press councils lose credibility when their decisions on public complaints are ignored by newspapers. Very often they don't have adequate funds to pay for an effective complaints-handling system. On the other hand, in some countries legal systems of independent regulation of broadcasting, such as Ofcom in the UK or the Federal Communications Commission in the US can deliver a mix of credibility and effectiveness,

but in many other countries regulation of broadcasting by the state is little more than a licence for governments to manage the news to suit themselves. The EJN checklist poses searching questions that test industry-wide systems of regulation:

- Is there an industry-wide system for dealing with complaints and monitoring journalism and media performance?
- Is there industry agreement on a common code of conduct for journalism?
- Are there transparent, accessible and cost-free procedures for making complaints?
- Are there systems of arbitration designed to provide fast-track resolution of complaints?
- Are media bound by contractual obligations to respect the decisions and adjudications of the accountability system?
- Is the Board of management of the media regulator independent of political and industry interests?
- Are the public properly represented and how?
- Is there an independent and transparent system of funding?

This last issue of funding is a critical element in creating a viable system for self-regulation, but it also poses a conundrum which media everywhere, and particularly the British press – both at the level of IPSO and its rival the IMPRESS Project\* – are trying to deal with, how do we organise funding for self-regulation of media without compromising editorial independence? It's a question that the EJN suggests can only be answered by establishing systems of public funding that are genuinely independent of both the press and politics.

*\*Note: Aidan White is chair of the Appointment Panel which was responsible for recruiting the Board of IMPRESS.*

*This article gives the views of the authors and does not represent the position of the LSE Media Policy Project blog, nor of the London School of Economics and Political Science.*

---

March 9th, 2015 | [Featured](#), [Press Regulation](#) | [0 Comments](#)

---