

Media self-regulation: how can ombudsmen increase accountability. The Estonian case

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Topics:

- ombudsmen in public broadcasting companies
- media ombudsman at ERR: overview of activity
- relations of ombudsmen with management, journalists, lawmakers, the audience
- statutes of work, codes of ethics, written standards

Self-regulation in the media

- press councils/media councils – collective bodies
- ombudsmen – in individual media
- media criticism – in general, an additional tool for media self-reflection

Media ombudsmen:

- act as mediators between the media organisation and the public
- should be independent from their media organisation
- should be the audience's ears and eyes, while protecting journalistic independence against possible attacks
- they can use “soft sanctions”
- a world group called Organization of News Ombudsmen (ONO)

Ombudsmen in European media

- Ombudsmen tradition is strongest in newspapers (eg Holland, UK, Denmark)
- But it's spreading to radio, TV and web
- Ombudsman role is especially important in public broadcasting because of difficult relations between the state and the broadcaster
- Examples of ombudsmen in public broadcasters in Europe: Denmark, Estonia, France, Slovenia
- A similar system is also in the UK (BBC), but it's not called ombudsman

Estonia: ERR media ombudsman

- since second half of 2007
- instituted by law on public broadcasting
- handles complaints by viewers and listeners of ERR
- and oversees the balance and impartiality of ERR (own initiative, not just acting on outside response)
- conducts ethics training

Complaints to ERR ombudsman

- about political impartiality in news and current affairs (current affairs talk shows; hot political topics in news)
- interviewing manners (live)
- language (these are handed over to language coach)
- violence

Rules for ombudsman work in Estonia

- Law on public broadcasting
- Statute of handling complaints
- Public Broadcasting Company's own ethics rules (in addition to general code of journalism ethics)
- Special rules for ERR at election time

From the law on public broadcasting

- 2007 Law: Estonian Public Broadcasting Company ERR has an ombudsman
- Omb is responsible for overseeing balance, impartiality, accordance with good journalistic tradition
- Omb is appointed by ERR supervisory board, at the proposal of the ERR management
- Omb has to make at least two reports a year to the ERR council, plus regular proposals to ERR management

Law on public broadcasting II

- Omb can only be removed from office with agreement from ERR supervisory council
- Payment of omb is decided by ERR management
- Omb's proposals are like recommendations to ERR management, but if management refuses to implement them, it has to give explanations

Statute of handling complaints

- Created by omb
- Explains what public can expect from omb
- Omb has promised to reply to complaints within ten working days, but preferably sooner, when it's urgent (eg a request for right of reply)

Statistics

- ERR ombudsman receives an average 42 instances of feedback a month (complaints, questions, opinions about ERR programmes)
- Approximately 5 to 6 cases a month demand more careful examination (talking to the journalist and the editor, corresponding with the complainant etc)

ERR at election times

- rules on covering election campaigns, confirmed by ERR supervisory council
- aimed at securing balanced coverage of election campaigns
- why: because pre-election period is special in its intensity of political information
- several complaints were received in the 2011 parliament elections, but no violations of the rules. Ombudsman still made recommendations on some issues.

Effect of ombudsman

Ombudsman:

- adds to the public accountability and openness of the media organization
- lifts off some political pressure
- increases public awareness of media ethics and of the media organization

Effect of ombudsman II

But the ombudsman also:

- exposes the media organization to more criticism (“another critic”) – short-term problem
- the public will get used to the ombudsman role, and the existence of an in-house critic becomes an advantage in the longer term (in a year or two)

Public trust in media in Estonia

- Public trust in public broadcasting has been higher than trust in commercial media and newspapers
 - At the end of 2010, trust in media:
ERR (public media) 79%
commercial broadcasting 64%
printed press (which is private) 60%
- Source: Polling firm Turu-uuringute AS

Who can be ombudsman

- Preferably a person with strong journalistic background – gives a good position among journalists as internal critic
- Knowledge of media ethics (but academic background alone may not be enough – too unrealistic demands on the media)
- Good reputation of integrity
- Some psychological skills (how to resolve media ethics conflicts between journalists and the public)

Contact with ERR ombudsman

- feedback, complaints about ERR:
meediaetika@err.ee
- Tel +372 611 4117
- Monthly radio programme Media Hour, hosted by ombudsman
- Columns on ERR website
- Appearances twice a month on public TV morning show as a guest
- Tarmu.Tammerk@err.ee