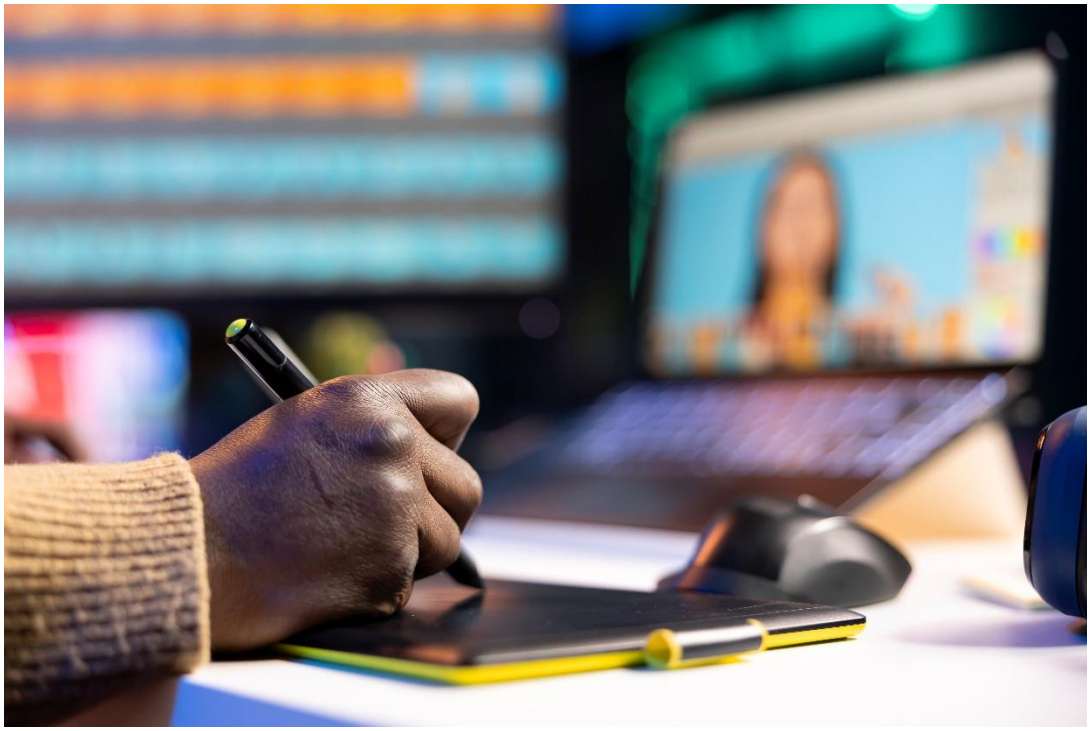
OMBUSDMAN GUIDE FOR NEWS OMBUDSMAN/PUBLIC AFFAIRS EDITORS IN UGANDA



KAMPALA

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Preface

One of the often ignored roles in Ugandan media houses is the position of a public editor, or ombudsman, whose job would be to interface regularly with the readers, carry their feedback into the newsroom and bring pressure to bear on editors and reporters to be responsive to the audience's feelings, which would in turn not only direct media houses and journalists to responsibility but also improve the quality of the journalism they produce. Ombudsmen, then, constitute a serious form of media accountability - the process by which media should be expected or obliged to report a truthful and complex account of the news to their constituents. Omdusdmen may not only help media to account, but also assist the media organizations and journalists gain credibility and trust from the public.

As Dvorkin (2011) has succinctly stated, trust is the essential lubricant that allows citizens to believe that their medium of choice is credible and reliable, even when they may disagree with the journalism. Trust is the common currency that media organizations require for their continued credibility.

As a matter of fact, very few media houses in Uganda have designated public editors, and not many journalism schools in the country, if any, focus on the crucial importance of ombudsmen or public editors as an essential component of journalism practice in their academic offerings at higher levels of learning. Yet the role of the Ombudsman as an internal check – a form of self-regulation – for a media house cannot be overemphasized.

There is evidence across global jurisdictions that media everywhere would benefit from having ombudsmen, both in terms of their relations with the public and for the good of their newsrooms. Unfortunately because of fast changing technologies that have profoundly impacted media business models, such necessary offices like those of ombudsmen have suffered reduction in value or even been abolished altogether in some parts of the world, as this text will show subsequently. In Uganda, according to interviews and focus group discussions undertaken during this study, very few media houses and journalists see need for public editors, while several others have never heard about the public editor; some do not see the need for such an office at all reasoning that what he/she does can be done by any other editor!

This is a contextually grounded Ombudsman Guide for use by news ombudsmen/public affairs editors and those assigned with responsibilities to engage audiences by their respective media

houses in Uganda. The data collected for the Guide was obtained through document analysis, interviews with journalists, editors, civil society, academia and government officials. Focus group discussions were also done with journalists and members of the public based upcountry, particularly in West Nile, Northern Uganda and Karamoja region.

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1.0 Media and journalistic accountability –how media hold themselves accountable and how the public demand accountability

Media accountability is a concept rooted in the conviction that media and journalism fulfill an important function in modern societies by observing the behavior of actors from various social systems (politics, economy, law, but also art, science, sports, and so on); and making it transparent and understandable, for the public at large, to serve the public interest (Fengler et al, 2022). The notion of media accountability has even become more critical in the digital age, which has occasioned an abundance of information available in a variety of forms. All manner of people; nonprofessional communicators and journalists continue to act as gatekeepers and information disseminators, with various forms of information.

Needless to say, the idea of accountable journalism is closely connected to the concept of democracy but it must be added that the democratic function of media and journalism can only be realized if journalistic actors are willing and able to accept their social mandate and act responsibly (Fengler et al, ibid).

Accountability refers to the processes by which the media are called to account for meeting their obligations (McQuail, 1997). It flows from the notion of good governance and is premised on the expectation that people in positions of responsibility will manifest behaviours, attitudes and actions that are in conformity with the principles of transparency, efficiency and integrity, and that being accountable means (publicly) explaining and defending your practices and motivations (Tettey, 2006; Dalen and Deuze, 2006).

Media accountability refers to the systems by which the media are led or constrained to put the interests of society on a par with their self-interest (McQuail, 1997. It exalts the public interest and as Fengler et al (2013) have noted, "..the core aim of media accountability to stay independent from the state may well be undermined by the media industry serving their own rather than the public interest." Further defined as the process by which media should be expected or obliged to report a truthful and complex account of the news to their constituents, accountability of the news media to the professional standards and the public is also an obligation for adopting professional ethics based on self- conscience in journalistic practice (Chaparro-Domínguez et al., 2020; Kovach & Rosenstiel, 2014; Krogh, 2012).

Media becomes accountable when they provide quality information without any partiality to help the audience construct ideas independently, fostering democracy in a society. McQuail's (2000) defines of public interest, as applies to the mass media, as where the "media carry out a number of important, even essential, tasks in contemporary society and it is in the general interest that these are performed and performed well."

There are various fields potentially involved in the accountability process (Fengler et al 2022), and these include:

- The profession of journalists
- The market
- The political sphere
- The public

McQuail (1997) also identified issues for media accountability that are variable and particular, which are mainly media contributions to the working of political and other institutions and necessary for effective democracy. These include:

- publishing full, fair and reliable information;
- assisting in the expression of diverse and relevant opinions, including criticism of government;
- giving access to significant voices in society;
- facilitating the participation of citizens in social life;
- abstaining from harmful propaganda.

This is media accountability from the perspective of good and responsible journalism. By doing this, the media would contribute to the well-being of society through the provision of information that people can use to make informed choices and decisions, and also enable people have a platform to participate in debates about issues that concern them. This is what the media should do, seen from a liberal-democratic perspective.

1.1 Purpose media accountability instruments

As Fengler et el have further noted, independence and service to the public have become central to discussions over the role of the media in society in the face of political and economic interests that bring pressure to bear on media organisations. Powell and Jempson (2014) stated the purpose

of media accountability instruments – defined as any-non-state means of making media responsible towards the public (Fengler et al, 2011) - from the perspective of the working journalist, as follows:

1. To advocate journalistic independence and media freedom in society;

2. To promote the right of the public to be informed;

3. To campaign for conditions that will enable journalists to serve their public better;

4. To foster better understanding within society at all levels about the role played by independent journalism in democratic life;

5. To support journalists in their work and to encourage professional solidarity;

6. To mediate complaints from the public in a transparent service, free of charge and to provide remedies for unethical conduct by journalists; and

7. To help build trust between journalists and the public to ensure that media can resist political and economic pressure.

Newton et al (2004) noted that "Accountability…is an aspect of hierarchy. Those with power can demand that those over whom the power is held give an account, explain, or justify themselves and their acts – in order… that the superior may direct the accountable one to proceed with, modify, or cease action, which the superior has the right to demand, and having demanded, the inferior has the duty to obey….[or] will suffer consequences." Flowing from this notion of power, some questions about accountability come to mind:

1. Who has the power to call the media to account?

2. Is it the government or other public agency, or business?

3. How much power the does the public – the ultimate consumer of media products – have to demand accountability from the media?

4. How does this accountability by the media help journalists to uphold the public good?

The essence of the media is to hold the people in power accountable. Thus political, social and economic influences by the media must be exercised for the good of society, which makes media

accountability critical in determining their role and benefit to society. Media accountability, then, is a form of control that society may impose on the media to keep them in check for the good of society. Therefore, institutions that hold public officials accountable also need to display the qualities of good governance that they expect from government, such as truthfulness, transparency, ethical conduct and due diligence; act with openness, proper conduct and for the good of society.

One of the key questions about media accountability is to whom accountability should be due. These should include:

1. Those to whom a legal or contractual duty exists;

2. Those to whom a promise has been made;

3. Those affected by a publication;

4. Those with power to act in response to publication.

However, the media are more likely to account to sources, clients like advertisers, audiences, those affected by the media in the sense that they are directly reported on or experience direct effects of publication, regulators, politicians, commentators, critics and those who claim to express public opinion.

It is also important that the media are not cowed into subordinating their accountability to the larger public to the parochial dictates of self-serving clients, because accountability to these clients should be consistent with the principles of the public interest. Journalists should also have accountability to self, based on their own values, professional standards, as well as societal norms of what is right.

2.0 Mechanisms of media accountability to society

The specific Media Accountability Instruments (MAIs) found in a country – and the impact various context factors have on their emergence – form unique national media accountability systems (Fengler et al, 2022). Media can use various mechanisms to account to society and accountability mechanisms have been in practice for decades and these include:

- Press councils
- Ombudsman
- Codes of ethics

- Editorial guidelines/policies
- Letters to the editor
- Blogs
- Microblogs
- Media criticism on social networks
- Online comments
- Tribunals.

These mechanisms monitor day-to-day activities of journalists and news media institutions and encourage upholding professional standards in their performance. Among these mechanisms, press councils and ombudsmen are probably the most-widely known institutions to implement the media's self-regulation. Internet-based tools, such as blogs and microblogs (e.g., Facebook or Twitter) and related feedback mechanisms provide alternative ways to monitor media performances and encourage them to correct their malpractices.

These media accountability mechanisms have advantages according to Bertrand (2005):

1. They can be diverse and therefore applicable in different but still effective formats: in documents, texts, or broadcasts; or through people as individuals or groups; or through processes that are fast or slow. They can also be internal or external to the media. Media accountability systems can also function at local, national and international levels.

2. They also tend to be flexible, and can easily be adapted to circumstances. For instance the law and ethical codes complement each other as neither tends to be sufficient alone, while the deployment of both is often useful.

However, media accountability mechanisms are also associated with various challenges that must be dealt with, for them to be successful:

1. Many media accountability systems are not well known. Public education is necessary for them to be optimally utilized, or even at all.

2. They can also be easily dismissed as cosmetic. There are the usual questions about if reporters can afford to lose their jobs because of ethics, for example. Many media outlets also find the mechanisms either costly or unacceptable or both.

3. Journalists tend to show far more hostility towards accountability mechanisms than even media managers.

4. The whole process of self-regulation often tends to be viewed as slow, and self-serving to media organisations.

3.0 What is a media ombudsman and why should a media house have one?

According to Sharma et al (2022), Ombudsman is a term which literally means "one who represents," and is a common method to promote journalistic accountability and credibility within media organizations. It is ideally an office independent of management of the media organization and is established to inform the public of what to expect from the media and what the media expects, and should be able to build or contribute to enhancing public trust in journalism.

It should be noted that ombudsmen are not peculiar to media organisations as several public institutions have an ombudsman's office to monitor and enforce accountability within organizations and handle public grievances against them. There are views to the effect that ombudsmen, still in practice in several countries, are less relevant than press councils since journalism organizations have moved from traditional newsroom structures to focus on online platforms.

To demonstrate the waning relevance of ombudsmen, news media organisations have been laying them off, like the Washington Post did in 2013. After four decades of having such a role, the Post replaced its full-time ombudsman with a part-time employee to look after the concerns of audiences.

However, there are reasons a media house should have an ombudsman, according to Dvorkin (2011):

- To improve the quality of news reporting by monitoring accuracy, fairness, good taste and balance.
- To help his or her news organization become more accessible and accountable to the public and, thus, to become more credible.
- To increase the awareness of its news professionals about the public's concerns.
- To save time for publishers and senior editors, or broadcasters and news directors, by channeling complaints and other inquiries to the appropriate individual.

- To resolve some complaints that might otherwise become costly lawsuits.

3.1 What is the experience of the public editors on the job?

The position of public editor/ombudsman is often referred to in journalism circles as "The grumpy scold in the house" or "The loneliest job in the newsroom" (https://newsombuds.org/the-grumpy-scold-in-the-house/). However, every public editor's experience on the job is different even though many of what they do is similar, as are many of the challenges they face.

The public editor/ombudsman stands between the newsroom and the public that consume news. Their role is to take the newsroom to the public, and to bring the public into the newsroom. Exciting and important as it is, "...this role is often seen as lonely because the ombudsman is often the only one who reports to the public and holds newsroom leadership accountable, which can create a difficult and isolated position within the organisation."

The "grumpy scold" is a derisive tag usually arising from the hostility in the newsroom to the public editor for pointing out errors and insisting on the errors being corrected i.e. "watching the watchdog"!

But it is not all grim as greater understanding brings better perception to the position by both ombudsmen and the newsroom. In the *"Organisation of News Ombudsmen (ONO) handbook: A Users Guide",* Jeffrey Dvorkin, the executive director, shares some interesting quotes and perspective of public editors on their job. Two below particularly show the other side of the ombudsman. He quotes Clark Hoyt of the *New York Times* who calls it "the most fascinating perspective on the state of contemporary journalism" and the *Guardian's* annual sustainability report says it is 'a unique vantage point inside the news industry'."

Public editors are often perceived by the journalists as "…outsiders and the newsroom culture may resist [their] efforts. [Their] early forays will be closely watched to see if there are any weaknesses in his/her approach. Your own instincts, combined with a sense of belief in the value of what you are doing will help see you through this early rite of passage."

Yet they are perceived as insiders by the public that expect that they are in the know, or part and parcel of the news production process.

While the main role of the public editor is to channel feedback and monitor fidelity to the editorial policies and code of ethics, their media literacy through the columns for the benefit of the public and journalists is equally important.

Nolan and Tim Marjoribanks have too weighed in on the necessity of ombudsmen to safeguard the media from various challenges, thus: "There is a tendency to severely downplay the possibility that ombudsmen might also have a significant role to play in promoting change within newspapers as a consequence of engaging journalists in a self-reflective public dialogue."

In cases where ombudsmen query senior officials of a media company about decisions and include their responses in their columns, ombudsmen serve the useful function of "speaking not only to the readership, but as seeking to communicate with the organization itself," – David Nolan and Tim Marjoribanks, "Regulating Standards: Ombudsmen in Newspaper Journalism" (http://www.tasa.org.au/conferences/conferencepapers07/papers/377.pdf)

The is also increased calls for the rethinking and expanding of the role of public editor as advocated by Kathy English, public editor of the Toronto Star for 13 years, thus: "Public editors do the work of overseeing accuracy and fairness and other imperatives of ethical journalism. They can correct your mistakes. They are your public promise of accountability and transparency. They will engage with your news audience and create public understanding of the importance of trustworthy journalism in a world polluted by dangerous disinformation. When appropriate, they will defend your journalists from increasingly hostile invective. But public editors could — and should — also do more. Here, I call on our "journalistic imagination" to envision a greater role for the public editor in holding journalists to account for diverse, inclusive journalism that is aligned with its moral mission for equality in a liberal democracy."

3.2 What exactly does the media ombudsman do?

The question then, is, what do media ombudsmen do, to warrant their positions in a world of fast changing newsroom environment? The job of the public editor may include most or all of the following:

- Listen to public concerns about the journalism
- Determine whether a complaint is credible

- Present the complaint to the right person inside the organization in order to get an answer for the complainant.
- If the complainant is still dissatisfied, the ombudsman is there to investigate and report his or her findings both to the specific complainant and to the public at large as well as to his or her organization.
- In some countries, particularly in France and other francophone countries, the journalistic culture is that the ombudsman must act less as a judge and more as a mediator between the complainants and the media organization. The goal is to find a resolution and common ground. Or if no resolution between complainant and media organization can be achieved, then at least to find a way for the parties to agree to disagree.
- Sometimes, the ombudsman acts as a go-between, shuttling ideas, observations and opinions from the public to the journalists to management and back again. This approach is designed to allow for more clarity and understanding about the journalistic process with the public and to let the journalistic culture inside the organization know how their work is being perceived. *Adopted from Dvorkin, 2011*.

3.3 What some public editors have said about the role

Kathy English *who served as public editor of the Toronto Star from 2007 until July 2020*

"Public editors do the work of overseeing accuracy and fairness and other imperatives of ethical journalism. They can correct your mistakes. They are your public promise of accountability and transparency. They will engage with your news audience and create public understanding of the importance of trustworthy journalism in a world polluted by dangerous disinformation. When appropriate, they will defend your journalists from increasingly hostile invective."

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Margaret Sullivan, *who served as ombudsman at the New York Times until 2016*

"A diligent public editor can do essential things that social media can't. Receive reader complaints, take them seriously, ask pointed questions of the powers-that-be, get answers every time, and publish the investigation/analysis/conclusions in the same place that the original journalism was published. I think re-establishing the position at every network and large newspaper company would improve trust, which is in short supply."

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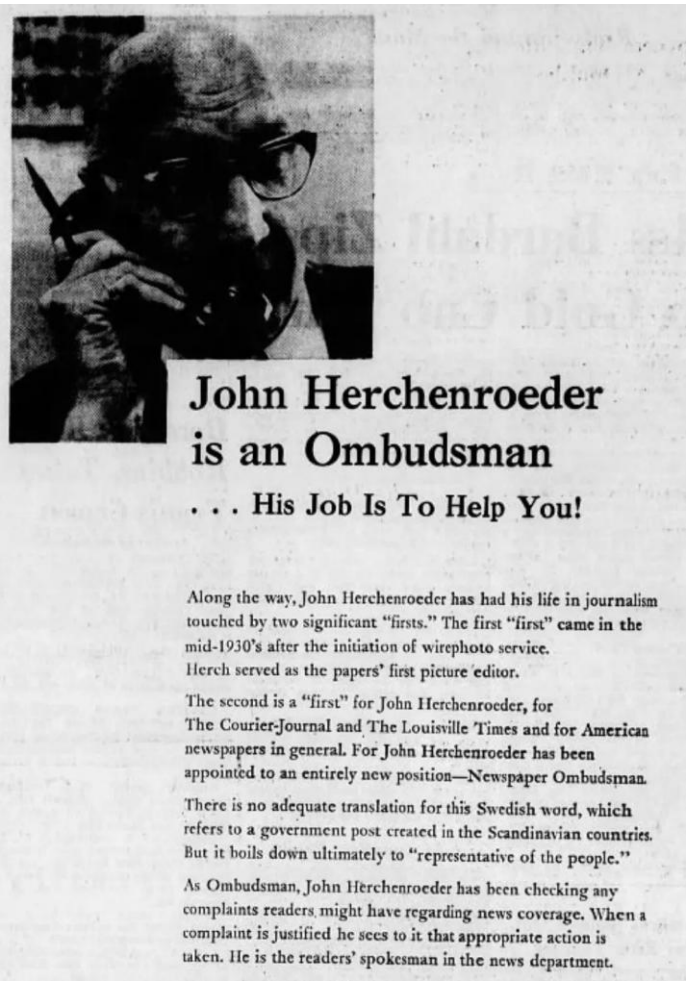
Sophie Borwein, *public editor of The Varsity, 2017*

"On their own, online commenting platforms aren't great accountability mechanisms. They're more useful when paired with a public editor or ombudsman, if for no other reason than to have somebody to filter out the real concerns from the anonymous trolling. Still, by design, these platforms privilege provocative opinions over measured responses and "hot takes" over careful analysis. No wonder the most challenging complaints I receive mostly come to me via email — a medium more encouraging of carefully crafted, sometimes lengthy critiques.

No matter their design, social media and other online forums are not real substitutes for the authority afforded to the public editor by virtue of their privileged position operating alongside — but not reporting to — the newspaper's editors."



John Herchenroeder is an Ombudsman

. . . His Job Is To Help You!

Along the way, John Herchenroeder has had his life in journalism touched by two significant "firsts." The first "first" came in the mid-1930's after the initiation of wirephoto service. Herch served as the papers' first picture editor.

The second is a "first" for John Herchenroeder, for The Courier-Journal and The Louisville Times and for American newspapers in general. For John Herchenroeder has been appointed to an entirely new position—Newspaper Ombudsman.

There is no adequate translation for this Swedish word, which refers to a government post created in the Scandinavian countries. But it boils down ultimately to "representative of the people."

As Ombudsman, John Herchenroeder has been checking any complaints readers might have regarding news coverage. When a complaint is justified he sees to it that appropriate action is taken. He is the readers' spokesman in the news department.

https://www.niemanlab.org/2021/03/from-public-to-publics-news-orgs-need-ombudsmen-to-push-for-more-diverse-representation-inside-and-out/

How should journalists report cases of suicide?

ODOOBO C. BICHACHI > PUBLIC EDITOR'S NOTEPAD

In the last few months, the media in Uganda has reported many incidences of suicide. The most reported about case, perhaps, was that of a Makerere University student who took his life allegedly after his businesses went bust and he could not pay his loans.

By a simple count in the *Daily Monitor* online alone, there were seven cases of suicide reported in the most graphic details between April and October. The triple suicide reported under the headline, Three commit suicide in Kigezi in four days (*Daily Monitor*, September 23, 2019) was quite descriptive about each case, as were the others.

Suicide is a very traumatic episode not just for the victims but more so for the immediate family, relatives, friends and the wider community. How this is reported in the media therefore has potential to exacerbate the pain or create more understanding about the problem and hopefully stem its recurrence.

Research in the western world indicates that there is a correlation between media coverage and increase in cases of suicide, especially among young people. This is especially when media explicitly shows the method of suicide, plays up the assumed trigger, and uses graphic images and sensational headlines.

This is the reason in many countries, notably the Scandinavian countries, the media generally does not carry stories of suicide and if it does for reason of prominence, it simply runs it as a death with very little details about the method, etc.

In Africa, and Uganda in particular, we tend to have a morbid curiosity for details of tragedy; especially if it is not about anyone close to us. This is perhaps what drives the graphic media coverage of otherwise very traumatic incidents such as suicide. The online news websites that are not guided by any media ethics are the worst at this, painting graphic images, feeding speculation and sometimes mocking the deceased. Should it remain so? Surely not!

Without expressly mentioning suicide, the NMG Editorial Guidelines have a clause on covering such incidents. It is, however, regularly flouted; understandably so because it is expansive rather than specific. It states:

"Intrusion into grief or shock: In cases involving personal grief or shock, enquiries should be carried out and approaches made with sympathy, empathy and discretion."

How best then should media cover cases of suicide? The United Kingdom's the Independent Press Standards Organisation in its editors' code of ethics provides perhaps a starting point between the Scandinavian extreme of "no coverage" and the African "morbid curiosity". It states thus:

"Clause 5: Reporting suicide – When reporting suicide, to prevent simulative acts care should be taken to avoid excessive detail of the method used, while taking into account the media's right to report legal proceedings." - https://papyrus-uk.org/guidelines-for-journalists-reporting-suicide/

In addition, Papyrus UK, a mental health support organisation recommends that reporters and editors endeavour to avoid the following:

- Splashing the story unless justified by profile of deceased.
- Bold and dramatic headlines to describe the incident.
- Details of suicide method used, especially explicit descriptions e.g. names of pills or chemicals taken, types of rope used.
- Naming and showing locations and means such as railway lines, bridges, tall buildings or cliffs.
- Speculating about the reason or 'trigger' for the suicide; there is never only one reason why a young person ends their life. Contributing factors are complex and can include individual risk, current life events and surrounding social situations.
- Making the deceased appear heroic or brave or that the suicide was a solution to a problem.
- Romanticising suicides, linking suicide to a particular 'cult'.
- Using large photographs of the deceased, especially of pretty young women, which can also romanticise suicide and encourage viral social media distribution.
- Endorsing myths around suicide.
- Excessive, dramatic, sensational headlines and reporting.
- And finally, include references to support services.

Ultimately, reporting on suicide should not be approached from the perspective of a crime – which apparently still stands in our Penal Code – but rather from a mental health perspective. That helps create the frame of a victim as opposed to a criminal which helps the reporter to cover the story with more empathy and understanding.

The Uganda Journalists Code of Ethics is quite shallow and should be up for revision and expansion. This will help media practitioners navigate through new and old challenges of handling news.

Code of Ethics. The Uganda Journalists Code of Ethics is quite shallow and should be up for revision and expansion. This will help media practitioners navigate through new and old challenges of handling news.

Send your feedback/complaints to public-editor@ug.nationmedia.com or call/text on +256 776 500725

A typical Public Editor's guidance on a key media ethics topic for the benefit of both the public and the media house itself

4.0 Media Ombudsman and journalistic accountability: views from the field

In Uganda, the existence of public editors in media houses is rare as most media houses do not employ any. However, the notion of obtaining and responding to feedback from the public is fairly well appreciated, as responses from various media workers, government officials and regulators show.

For the media houses that employ an ombudsman, the system of receiving complaints and responding to them comes across as systematic and well purposed:

"We have an online Compliments, Complaints and Queries form. It includes the name, email address, contact phone number and customer's message/complaint. Once received, a response is provided within one working day. In case of requests to take down stories, (to either protect privacy rights or remove misleading and harmful information from public view), we got our Editorial Policy in 2021, which gives clear guidance on when and why content can be removed or unpublished. We also have a hotline through which complaints from the public about our broadcast content or general programming is received and directed to the affected department for appropriate action to be taken. Editorial-related complaints specifically are forwarded to the Public Editor. Once in while the Public Editor guides the public on the available channels to raise their complaints through an article that is published in the newspapers and on all our online and social media platforms," said an editor at one of the biggest media houses in the country.

She also said the efficiency of the system had been good:

"The system has so far been fairly effective. Specifically, the online platform has enabled the handling of complaints much faster," she stated.

Asked about the need to respond to public queries as a regular undertaking, an FDG participant from West Nile region agreed: "The media and journalists should answer queries from the public. To me it is right….without the public, the media could not run well because we are the partners. We are the mouthpiece of the voiceless, whatever the issue is channeled via the journalists and the media houses….it is through the media and journalists that the public demands what they want from the leaders. It is the duty of the journalists and the media houses to put it in the right way for the government to bring services closer to the people. So there must be clarity in the information

that journalists put out. I would say it is right for the journalists and the media to erase some of the journalistic errors.

On how media houses regarded public editors, a journalist from Gulu stated thus: I think most media houses don't see the importance of having a public editor. Most of the media houses are today driven by the profit making motive, not really the real journalism; where you have to care about accuracy, truthfulness, verifying. Nowadays most media houses just care about making money.

Ä journalist from Arua also reasoned that journalists and editors make mistakes because either they did not pay attention to key issues in a story, were rushing to publish or broadcast or simply made an error of judgement, but that acknowledging mistakes further damages the name of the media house and the journalists, which made them skeptical about public editors. He stated thus: Well, public queries can be problematic…we have done a lot of stories that involve members of the public or information that goes out to the public, but then the information is not related to what people think. So they come and ask, but why was this published, or aired on the radio? How did this come about, yet what we know is something else? Now for us as journalists, we aired this, we published this. How are we going to respond? Because this is the public concern….if the response is given, the damage is already done." Another journalist added, that for messages that do not stay long on record, like in the case of radio, the correction may not be effective: "If you äir a story at 7pm and you correct it at 7am the following day, not everyone who listened to it initially will be tuned in when the correction is aired later on…that is some dilemma."

At a leading news agency in Uganda, access by the public to the news management team has been guaranteed, and the agency has a fair grasp of media accountability to the public, even if they do not employ a public editor. Said one of the senior editors at the news agency: "We have published…our phone, post office address, phone numbers of the clients relations manager, and email addresses of clients relations manager, editorial, and the CEO for easy access by any members of the public…I personally think that the editor should be able to respond to issues of concern from our news consumers and also respond to major news events that need an explanation.

Ä tabloid publication also appreciates that media must respond to pubic queries and account for their actions, and sees the Ombudsman Guide as a standardized and useful tool in this regard: "We have provided a direct phone contact on our website and social media platforms to facilitate public

engagement with our media house. A specific news editor has been assigned this role to ensure public queries are recorded and appropriate responses from the different segments of the media house are obtained. [The Guide] is a useful tool to have for any media house as readers increasingly look at media houses as platforms for expression, holding journalists accountable, education and information.

He furthermore says: In my view, "the Guide should provide for a dynamic, transparent, and interactive occupant who must bridge newsroom accountability with audience engagement…. should combine real-time feedback mechanisms (such as comment moderation dashboards and reader complaint trackers) with editorial transparency features—like annotated corrections, explainer modules, and ethical decision logs. Further…should include analytics on audience trust, misinformation flags, and platform specific engagement trends to help editors respond to public concerns in real- time with context and precision. It could be mobile-friendly, multilingual, and easily accessible to digital formats enabling the public editor to uphold journalistic integrity in a fragmented, fast-moving media ecosystem.

5.0 History, remit and complexity of media ombudsmen: Lessons from other jurisdictions

The first media institutions to have well-established complaints procedures, early in the 20th Century, were Asahi Shimbun, the largest newspaper in Japan, and the New York World, a US daily that no longer exists. It took more than 50 years before the idea began to spread widely, initially in North America at a time when surveys showed that the public regarded newspapers as arrogant and out of touch with readers.

Today, a reasonable estimate is that there are between 125 and 150 news ombudsmen world-wide. About 30 operate in North America, another 30 in Latin America, and at least 50 in Europe and the Middle East, while Africa has about ten (most in South Africa) and Asia and the Pacific about half that number. They are to be found at both newspapers and broadcast outlets, and at both privately-held companies and publicly-supported media entities.

Most commonly known as ombudsmen, they also are known by titles including public editor, readers' advocate and readers' editor. One measure of the popularity of ombudsmen is the number of people who turn to them to complain or offer suggestions. According to Dvorkin, who served

between 2000 and 2006 as the first ombudsman at National Public Radio in the US, in his last year on the job he received more than 82,000 emails, plus thousands of letters and numerous phone calls. Similarly, Chris Elliott, the ombudsman for the Guardian in the UK, says his office hears from an average of 26,000 readers a year.

Ombudsmen operate in a variety of ways. Some have fixed contracts; others operate on an open-ended basis. For some it is an end-of-career assignment; for others, notably in Latin America, a mid-career step. Many ombudsmen are full-time employees but others, most often academics or retired journalists, operate on a part-time basis.

The chief charge of ombudsmen everywhere is to respond to public complaints about the work of the journalists employed by their organisations. In addition to commenting on matters such as ethics and fairness, some ombudsmen also oversee factual corrections. (Editors in some organisations retain this role).

Ombudsmen generally make their views known through columns or their broadcast equivalents, and an increasing number also engage directly with the public through social media. While many choose to be as separate as possible from the newsroom, others see their role as including giving advice when asked and mentoring younger journalists. As these differences illustrate, the institution of ombudsmanship has evolved over the past half-century, reflecting cultural as well as individual preferences.

In Japan, for example, the original complaints office at Asahi Shimbun no longer exists but in the early 2000s that paper and others formed committees made up of outside experts who routinely review coverage and offer recommendations, with a strong focus on protection of human rights. In Argentina, human rights is also the focus of the country's first "Defender of the Public" on matters involving broadcast media, according to Cynthia Ottaviano, who began work in late 2012. She describes her mission as helping to shift the country from an authoritarian system to one with an emphasis on human rights, including the right to communication. Her activities include holding public hearings to evaluate the performance of the media and educating the public about the media's role, as well as receiving complaints. While neither of these institutions conforms to what might be called a classic ombudsman model, each includes aspects of public involvement and self-inspection.

In recent years, the number of ombudsmen in many Western countries has been declining. The most frequently cited reason is tough financial times but many, even among the ombudsman ranks, see deeper problems. Margreet Vermeulen, a Dutch ombudsman, told the 2013 ONO conference that "Ombudsmen are not seen as part of the solution" to newspapers' survival. Some of the problems have to do with the complicated inside-outside position that ombudsmen occupy. In his 2003 book "News Ombudsman in North America", Professor Neil Namath wrote that most ombudsmen he had studied did not engage in regular public criticism of their news organisations "because it's too uncomfortable". He observed that "Criticism beyond pointing out clear-cut factual errors involves evaluating more subjective news judgments and ethical decisions" which, he said, can cause problems with colleagues or dash hopes of further advancement.

Namath's remarks were echoed by US media critic Jack Shafer, writing on the 2013 decision by The Washington Post to eliminate its ombudsman position after 43 years. On paper, Shafer wrote, the ombudsman's powers "sounds like a job fit for a hanging judge." In reality, however, he said, the tendency is "to sympathize with the hard job of newspapering and gently explain the newsroom's mistakes to readers."

Much, of course, depends on the courage and talents of individual ombudsmen themselves. Commenting on the tenure of Daniel Okrent, the first public editor of The New York Times, press critic Jay Rosen said that Okrent knew that the job would be politically charged, but "Rather than regret this he plunged in, changing the way the public is represented within the newsroom." Others praised Okrent's graceful writing and distinctive voice as having contributed to his success.

One other reason often cited for not retaining an ombudsman, or not hiring one in the first place, is the growing amount of internet media criticism. The Washington Post's last ombudsman, Patrick Pexton, quoted Martin Baron, the paper's executive editor, as having said, "There is ample criticism of our performance from outside sources, entirely independent of the newsroom, and we don't pay their salaries." Supporters of ombudsmen disagreed. Edward Wasserman, Dean of the Journalism School at the University of California, Berkeley, wrote that while ombudsmen may be no better than outside critics, "they still represent a powerful recognition by news organisations that they owe it to the public to hold themselves accountable, that routinely answering for their actions isn't just optional, but is integral to the practice of journalism."

Some researchers have also argued that ombudsmen play an important role that can't be duplicated by outside critics. In a paper presented at a conference in 2007, Australian academics David Nolan and Tim Marjoriebanks cited an example in which the then-ombudsman of the UK Guardian first wrote a column about whether the paper had been correct in publishing a photograph showing the face of a naked Iraqi prisoner (he said on balance, yes) and then in a later column reviewed and discussed the large number of reader responses. "In some cases, and notably where they reflectively engage with processes of journalistic judgement in detail, making this reflective process rather than the judgement itself the focus of their columns, ombudsmen may open newspapers up to a genuine public dialogue about their practice," Nolan and Marjoriebanks wrote.

With the increasing use by ombudsmen of Twitter and other social media, such discussions can go beyond columns and become ongoing conversations. Despite some ombudsmen's shortcomings, Stephen Pritchard, the Chairman of ONO and Ombudsman of Britain's Observer newspaper, sees the ombudsman's role as more essential than ever. "Traditional media are only going to survive if they are seen as credible," he told the 2013 annual meeting. And given that fact, he said, ombudsmen are "absolutely not a luxury".

Adopted from Karen Rothmyer, Giving the Public a Say, 2013

6.0 Challenges and limitations of accountability and media ombudsmen – locally and globally

Media accountability poses challenges globally and locally, which have implications for ombudsmen, in the following ways:

1. Lack of awareness about its importance on both the part of the public and media organisations, including the journalists themselves.

2. Failure to establish effective and functioning structures to achieve it.

3. Sacrificing journalistic ethical and accountability values for profit, especially by powerful corporations.

4. Low public awareness and participation about key public issues which affects the perception and conviction about values like media accountability.

5. The political and work conditions, like harassment by police and poor payment, which journalists are subjected to in Africa, including in Uganda, that also make journalistic accountability rather complicated.

These challenges lead to repeated incidents of violations of ethical and professional conduct by journalists and media outlets.

From the field study undertaken, these challenges are clearly manifest in Uganda. First, Uganda's rather convoluted politics, increasingly characterized as a hybrid regime and patrimonial state, make it hard for journalism practice to thrive, as media organisations that may not tow the line are undermined, among other setbacks. A journalist in northern Uganda shared her experience, thus: "….sometimes you see politicization of some of the things…a lot of politics. There are some people who favour particular media houses in politics and to the disadvantage of others. So, when you make mistakes, they are using it to undermine you and your media house….yet the issue of the public trust is a very serious concern for us…"

Secondly, there is lack of appreciation even among the journalists and media houses about the role and importance of the public editor, who is sometimes seen as obstructive to news operations. This has implications for resources allocated to the ombudsman. A senior editor at a leading media house in Kampala captured this challenge rather precisely, thus: "The role of the Public Editor is still not appreciated or even understood by many. This means that even allocation of resources to his"/her office is more of an afterthought. Even within the newsroom many people still do not even know that the office of Public Editor exists, or what his role is. He is viewed as someone who is only meant to deal with the outsiders, yet good journalism sprouts from within." Such stance denotes a low level of responsiveness to accountability and fidelity to key journalism ethics of fairness, for example.

In close relation to the above, many journalists cannot distinguish the roles of the public editor and other editors, looking at them all as one and the same. This lack of knowledge is born out of the fact that the tradition of having public editors in Uganda is new, plus a general lack of a good all-round education for the majority of Ugandan journalists. In justifying not having a public editor

at his media house, a senior editor in West Nile underscored the misunderstanding of ombudsmen in the country: "I think when you look at the public editors and the other editors we have….these people almost do the same roles for the public, though the public editor maybe… dealing with the public, but other editors deal with the public too…you know as organizations, we do have our own rules….certain things are not supposed to be let out to the public…So I think that is basically why the organization has also not been able to go for a public editor, yet."

Even among the public, the needs that the public editors serve may well be misunderstood or misconceived. But it also exposes the lack of standardized approaches towards correcting errors in the media, especially in media houses without a public editor. An FGD participant in northern Uganda expressed this dilemma, thus: "Someone will come to contest a correction, saying it was not commensurate with the damage that was occasioned by a publication or broadcast. But how do people measure damage? This is something that nobody wants to talk about….quite often the public looks at media houses as a way of getting money; a mistake made and even when there is a correction, people want to make money. Some media houses end up being sued…"

In other situations the setup of a media house is such that the absence of a public editor adds to the existing shortcomings in media and journalists being responsive and accountable to the public. An editor in northern Uganda summarized the difficulty thus: "…there is no one employed specifically for that purpose, and making quick and immediate follow up on queries may be difficult. There are delays in giving feedback due to other duties our journalists may be engaged in…phone calls and SMS may not work for some members of the public who do not have phones. To make matters worse, on-air presentations and announcements may not reach a particular members of the public if they are not listening to the radio at the time of airing the response."

However, the other challenge may be out of the independence of the ombudsman's office within the media organization. As one of the media regulators stated, the office of public editor is a very important one as an avenue for the public to ask questions about the media house and journalists, and obtain answers. The problem seems to be that the public editors "…are controlled by the media houses, so they choose who to engage with or respond to and how and when to do it."

Additionally, journalists and editors raised the challenge of managing public complaints especially in the modern error of misinformation and additional challenges of political polarization. As asked a journalist from Karamoja: "How do you distinguish between genuine complaints by media

audience members and claims of errors and misrepresentation arising out of desire to misuse the media and journalists for propaganda purposes?"

The above challenges call for streamlining the position of public editor in Uganda's news media outlets, ensuring that each media house has an ombudsman, with the independence, to handle public queries and also enable media and journalistic accountability.

As other journalists and editors in northern Uganda aptly observed there is need to have proper guidelines for public editors so their work is made clearer, internal policies should be in place for each media house and journalistic ethics should be inculcated more often into the journalists. There should also be an investment in public education, so that the public is well aware of the role and utility of media ombudsmen. As one senior editor enthused, it is absolutely essential to have ombudsmen "…because through the Public Editor, a media organization is able to maintain public trust through actively and promptly responding to audience feedback. His/her role also ensures that journalists are more accountable in their reporting.

7.0 Media ombudsman and government

Even in countries with "strong and long democratic traditions, relations between government and the press are at times strained. The current global landscape has examples of presidents that even consider some media houses in their countries as the USA example will show. In February 2025, The Associated Press (AP) reporters and photographers were removed from a group of journalists who follow the President in the pool and other events. The ire of the White House against the AP journalists was fueled by the AP's refusal to follow President Trump's Executive Order to rename the Gulf of Mexico – or simply not using the words that the government demanded (www.ap.org). This particular case is one of several aggressive moves the second Trump administration is taking against media outlets he does not like since he returned to office in January 2025; including FCC investigations against ABC, CBS and ABC News, dismantling the government-run Voice of America and threatening funding for public broadcasters FBS and NPR (www.ap.org).

In Kenya, a High Court in June 2025 ordered the Communications Authority of Kenya to restore signals to three independent TV stations that had been switched off, certainly on the orders of the executive branch of government, after defying orders to cease live broadcasts of anti-government

protests (www.theeastafrican.co.ke). Riots by Kenyan citizens have become common against the current Kenyan government, and created unease between a political leadership keen to hide the extent of public discontent against while at the same time concealing the often brutal and inhuman methods deployed by security agencies to quell the riots, against media houses seeking to bring information to the public. Kenya also prides itself as a democratic country with regular elections and a multiparty dispensation.

In many cases particularly among African countries, most of which suffer serious democracy deficits, governments have many options against media houses, even if they may be professionally run. The first is the use of draconian laws against the media. When the laws do not prove sufficient, especially in situations where judiciaries have not been completely emasculated, attacks on media installations and journalists are another method to cow the media. Such governments are also more likely to deny advertising revenue to independent and critical media outlets, in an effort to bring them down financially.

To the extent that they can, public editors will give confidence to fellow media workers through the professionalism that the work of the ombudsman brings to a media organization. Secondly, the ombudsmen may play the important role of receiving and bringing to the attention of editorial management legitimate government complaints. As Rothmyer (2011) so instructively stated, the Ombudsmen, on their own, are not likely to sway a government determined to bring the media down, but they can help to foster an atmosphere of mutual respect and to keep the lines of communication open. In addition, they can help make the case to the public that the media are behaving in a responsible manner.

8.0 Steps and conditions towards creating an ombudsman for a media house

The **first step** in setting up a position of public editor is that a media house must aspire to deliver to the public quality journalism, and to be accountable to its audiences/public and its mission.

In the case of the Nation Media Group, for example, the decision to establish the position of public editor was a direct wish by the Aga Khan who founded Daily Nation as a young man. He thought there was need for someone outside the daily grind of the newsroom to track engagement with the

public that the media serves as well as to monitor fidelity to the editorial policies and best journalism practices.

The **second step** is to define the operational guidelines of the public editor as well as the reporting channels. These are more or less standard and can be adopted from organisations that already have the position of public editor. There is no need to re-invent the wheel.

The **third step** is to search for a suitable candidate to fill the position and the qualities they should possess. Experience in journalism is paramount because it brings authority, knowledge, institutional memory, etc. The other qualities are good communication and interpersonal skills, good track record in terms of ethics and professional excellence.

The **fourth step** is setting the costs, budget, support systems and buttressing the independence of the position.

The public editor/ombudsman must enjoy independence and security of tenure, except when they're in breach of ethics. Most public editors report to the editorial board or publisher. They must not report to management as this would erode their independence and render the position ineffective.

The **fifth step** is to prepare the newsroom to understand the role of the public editor, the philosophy behind it, the benefits to the organisation and the public, and what is expected of the newsroom and its leaders. This primarily helps cushion against the hostility that may emanate from the work of the public editor in pointing out errors or feeding criticism from the public. Journalists are used to asking questions and holding authorities to account. They are not used to being asked questions and being put to account.

The **sixth step** is to announce to the public the opportunity for engagement that the public editor/ombudsman brings and why they should use the office. This also signals to the State and other stakeholders that the media is amenable to internal inflection and self-regulation on the basis of its mission, vision and editorial policies.

Lastly, any media organization creating this position must have editorial policies or be signed to the journalism professional code of ethics that is publicly known and to which it can be held to account.

However, in the Ugandan context, setting up the office of public editor may require certain and specific approaches to lay the ground needed to effectively introduce ombudsmen in the greater number of media houses across the country. Most media houses, particularly radio (and now television stations) in Uganda tend to be owned by politicians and businessmen allied to the ruling party (Mbaine, 2019). Any media intervention, however well purposed, therefore requires an approach that guarantees buy in from a multiplicity of stakeholders.

1. There is need for public education in Uganda so that there is appreciation and trust in processes of media self-regulation and accountability mechanisms, which an office like ombudsman is significantly about. If an office is for public benefit, then its ultimate beneficiaries must trust that it will be helpful to them. Apart from the public, other actors can be targeted like media regulators, police, Resident District Commissioners (RDCs), local leaders including political religious and cultural leaders. This can be done through media programmes including social media dialogues, stakeholder engagements and public information undertakings.

2. There is even greater need to for journalists in Uganda to understand the role of the ombudsman and support his/her work, and the value such an office brings to journalism itself as a check and balance mechanism. Gaps in knowledge particularly become more pronounced as one moves away from Kampala as journalists upcountry are characterized by low education and exposure, low ethics adherence, intense political pressure and intimidation. There is thus need for awareness seminars for journalists and editors about the necessity of media ombudsmen. Training institutions can assist mainstream training on media accountability and public editors, among other journalism education interventions.

3. Major journalism decisions, even about content, are seldom made by journalists themselves. There is need in Uganda to involve key stakeholders, particularly owners, to see the need for public editors; and not only appoint them for their news media organisations but also support their work for the public good.

4. Media organisations in Uganda must engage in research and documentation about media accountability and self-regulatory mechanisms to inform policy and action towards good regulatory mechanisms, such as the role, development and challenges of ombudsmen.

5. The media in Uganda needs to work more actively with other societal forces to gain support for efforts towards professionalization; civil society, development partners, legal fraternity, government and others, in addition to strengthening media self-organisation to be able to speak with one strong voice on issues that concern media practice.

6. In the Ugandan context, financial challenges faced by most media organisations mean that hiring extra personnel in the form of public editors is a difficult decision. Most media organization already pay very low salaries to journalists and editors; in most cases the employees go many months without payment and several work without any form of contract anyway as employers avoid contractual obligations. To this end thus, we recommend that the UEG considers the possibility of introducing regional ombudsmen where one public editor serves a region that includes several media houses, to reduce costs of hiring such public editors. The modalities of the regional public editors can be discussed with the media fraternity and owners. The media houses committing to a regional public editor would have to sign an undertaking to abide by that commitment. National and regional media associations can be tapped into to support this initiative.

7. UEG may explore using digital platforms to enable audiences to monitor and engage with journalists on ethical and accountability issues. There are two critical issues to internet and social media use to media accountability: one, content by journalists and other people leading to a "bewildering diversity" and, secondly, the use of new media platforms to enable, or even compel, media accountability. Digital media platforms can be used to monitor journalists and media organisations, particularly by the public or organisations working in public interest, for accountability purposes. Media audiences may not only comment on stories emanating from traditional journalism outlets but also challenging journalists about values and expectations of media performance through media and newsroom blogs, and media watchblogs.

9.0 Notes for training institutions on public editors/media ombudsmen

Given the importance of ombudsmen as an instrument of media and journalistic accountability, it is crucial for media training institutions to include the issues of public editors in the institutions' academic menu. At this moment in Uganda, the few media houses where public editors exist are assigned the role to learn on the job. Training journalists early enough may ameliorate the challenges in the current 'trial and error' method, in addition to greater appreciation, over time,

the specific role and importance of the public editor by the media fraternity. The training institutions may consider the following topics for integration in their journalism curriculum:

(i) History and origins of news ombudsman

(ii) Global models of public editor and press councils; North America, European, Japan models

(iii) African/Regional case studies of press councils and media ombudsmen

(iv) Who should be a public editor/ombudsman?

(v) The work of ombudsman/public editor?

(vi) Relations with newsrooms and the public: opportunities and pitfalls

(vii) Issues of trust and accountability

(viii) The expanding role of public editors/ombudsmen

(ix) Challenges in newsrooms for the public editor

(x) Ombudsman challenges with the State and the public

(xi) Ombudsman challenges with owners and advertisers

(xii) Ethical leadership and challenges for the ombudsman

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