

'LONE RANGER' AS THE MISSIONARY OF CONSCIENCE:

NEWS OMBUDSMAN

For decades, there has been a growing concern about how journalists can nurture or, in many cases, restore trust between themselves and their audience. There are a number of reasons why public trust in the quality of news and in the ethical behaviour of those producing it has waned, impacting media worldwide. Various solutions and institutional models have been developed to address the problem and have met with varying degrees of success.

It is essential to journalism as a profession that the question of public trust in the news and those producing it is addressed.

In transitional / emerging democracies, a trustworthy and independent media has been seen as crucial for political and social stability. In these environments, the media is often one of the main actors sustaining democratic processes, enhancing the domain of rights and freedom, and helping eliminate a mentality that accepts oppression.

A bold media must also investigate and fight corruption. The abuse of power is a stumbling block for those societies trying to make the transition to democracy. In order to make a difference and to have a lasting positive impact, it is imperative that the media itself be clean, transparent, and accountable.

One of the most efficient models developed in the past decades to safeguard the integrity of the media is the institution of the news ombudsman; a modern “in-house” concept of self-critique and self-regulation. It is distinct from other forms of supervision which rely on outside agencies or a collective voice.

Since the news ombudsman is a role assigned to an individual it is relatively simple to implement and more flexible and adaptable to individual news institutions and specific audiences.

The large number of news ombudsmen, located in over 20 countries, is evidence that the ombudsmen model works. Ombudsmen deliver a service whose success is quantifiable and whose quality is tangible.

This study is an attempt to shed light on various aspects of the news ombudsmanship model it is also an attempt to explain why the roles played by ombudsmen can be an asset for a media which strives for quality and credibility.

1. BACKGROUND:

THE ORIGINS OF THE OMBUDSMAN OFFICE

Ombudsmen date back to the early 19th century when the King of Sweden and the Swedish parliament agreed on a method to deal with complaints from citizens who saw themselves as the victims of flawed governance. An office of independent inspection was founded in 1809 headed by an official who was granted the status of a minister. The *Justitieombudsman* ('Ombudsman of Justice') was entitled to judge an individual appeal against a government organ and thus provide protection from the state's arbitrary authority.

Art Nauman, a former ombudsman of the Sacramento Bee (California, U.S.A.) and president of the **Organisation of News Ombudsmen** (ONO) refers to an American researcher who traced the origins of the concept to a much older Scandinavian language as a factotum: "the man who sees to it that snow and rubbish are removed from the streets and that the chimneys are swept." However, the concept of news ombudsmanship has developed a new historical context and has come to mean "the person representing the public," "person with a delegation," and the "citizens' representative". (1)

It became a widely established international term used to define an office possessing the genuine independence to scrutinise authority. In **Sweden**, the concept was broadened to include ombudsmen in various arenas: racial and gender equality, the rights of children, and the press.

One can also find proto-forms of ombudsmanship elsewhere in history. Brazilian researcher **Jairo Faria Mendes** writes that "Before the Swedish experience there had been 'listeners.'" In colonial Brazil, the bishops had the function 'Listeners of the Crown', which gave birth to the popular expression: 'Complain to the Bishop.' In ancient Rome the Tribune of Pleb listened to the complaints of the citizens. (2)

"Tell of your troubles to Marko Pasha!" is still a popular saying in Turkish which refers to a centuries old Ottoman tradition of "Ahi" or "Men of Wisdom." This was a model which functioned in the Ottoman Empire and provided a direct form of communication between the Sultan and his subjects on issues related to work ethics. It was an outlet for subjects of the Sultan for when they felt they were being ill-treated, subjected to discrimination, and or otherwise neglected.

Recent research suggests that the King of Sweden, Charles XII, during his lengthy refuge as “guest” of the Sultan in early 18th Century (after his defeat against the Russian Army in Battle of Poltava), was inspired by the Ottoman Ahi tradition and imported it to Sweden.

The concept later spread from Sweden to Finland (1919), to Denmark (1955), and finally to Norway and New Zealand (1962).

OMBUDSMEN AND THE PRESS

In the early 20th Century, the press felt the need to respond to a growing sense of unrest among readers. Readers were questioning what they were reading and were expected to believe. Inaccuracies increased at the pace of newspaper circulation. The ever far-sighted Swedes decided in 1916 to establish the “Swedish Press Council” – also known as the ‘Court of Honor’ – to deal with the broad spectrum of complaints.

The Council operated until 1969, when it was redefined as “**Allmaenhetens Pressombudsman**” (Press Ombudsman of the Public). This occurred as a response to increasing public dismay over unethical behaviour, particularly regarding violations of privacy, sensationalist reporting of crime, and widespread character assassination of public figures. “For its part, the Swedish press feared legislation would be enacted to curtail the media if the existing system or self-discipline wasn’t made more responsive.” (3)

The American press in the early Twentieth Century was equally concerned about growing public skepticism. In 1913, **Ralph Pulitzer**, son of the legendary publisher **Joseph Pulitzer**, decided to establish a “**Bureau of Accuracy and Fair Play**” at the *New York World* newspaper. The stated goal was “to correct carelessness and to stamp out fakes and fakers.” The staff members – a director and two associates – investigated complaints, wrote corrections, kept a record of journalists who were responsible for errors and replied to correspondence from disaffected readers. The Bureau remained in operation until the paper was sold in 1931.

The Bureau inspired similar, if short-lived, matching institutions in papers such as *Sacramento Bee*, *Minneapolis Tribune* and *The Philadelphia Ledger*. Indeed, nine years after the decision to create the Bureau by Pulitzer, the *Asahi Shimbun* in Tokyo created a

committee to receive and deal with complaints. Research by **Takeshi Miezawa**, of Tokyo Keizai University, suggests that it was modeled after the *New York World's* Bureau. (4)

Another Japanese newspaper, the *Yomiuri Shimbun*, currently one of the most circulated in the world (approximately 14 million copies are circulated daily), set up a staff committee in 1938 to scrutinize its content. The project, which was initiated because the newspaper's reporting was landing it with a number of lawsuits, was developed into a "28 member ombudsmen committee" in 1951. The committee was called "the Committee of Newspaper Contents Inspectors" and was a unique and efficient model of news ombudsmanship that is still operational in the paper.

In America, the need to develop mechanisms for self-regulation reentered the agenda after World War II. **Henry Luce**, founder of *Time* and *Life* magazines, gathered in 1947 a group of respected scholars and non-journalists to study the flaws of the press.

The group that came to be known as the **Hutchins Commission of Freedom of the Press**, issued after a lengthy study a warning: the press must monitor itself, or risk being monitored by the government:

"One of the most effective ways in improving the press is blocked by the press itself. By a kind of an unwritten law, the press ignores the errors and misrepresentations, the lies and the scandals, of which its members are guilty."

The findings and conclusions of the **Hutchins Commission** were not what the press wanted to hear. They were ignored by the American media elite who took refuge in an extended period of denial. However, the anti-establishment mood in the 1960's in America pushed the media owners and editors to reconsider. A youthful public, which had become radicalised and distrustful of authority during the the Vietnam War, made no secret of their suspicion of the media.

In March 1967, **Ben H. Bagdikian**, an editor of the *Washington Post*, became the first journalist in America to suggest ombudsmanship as a way to regain trust. In an article in *Esquire* magazine, he wrote that the press in the USA was suffering from a lack of confidence from the public, and often the reasons were valid. In order to win back the public, **Bagdikian** hoped that "some brave owner [would] someday provide for a community ombudsman on his paper's board... to present, to speak, to

provide a symbol and, with luck, exert public interest in the ultimate fate of the American newspaper.”

He would be followed by **A.H. Raskin**, an experienced labor reporter with the *New York Times*. In the paper’s Sunday magazine, **Raskin** suggested that each newspaper establish a **Department of Internal Criticism**: “The department head ought to be given enough independence in the paper to serve as ombudsman for the readers, armed with authority for more effective performance of all the paper’s services to the community, particularly the patrol it keeps on the frontiers of thought and action.”

THE FIRST NEWS OMBUDSMAN – IN KENTUCKY

A week after the publication of Raskin’s article, the first news ombudsmanship post in the USA – which would eventually become a universal model – was created. It was neither the *Washington Post*, nor the *New York Times*, but a small, albeit respected daily in the state of Kentucky that created the first media ombudsman post: **the Louisville Courier – Journal**.

Its editor, **Barry Bingham Sr.**, had followed the debate on media responsibility among his colleagues on the East Coast, liked the idea of ombudsmanship, and insisted that an elderly **colleague John Herchenroeder** assume the role as media ombudsman.

Soon after, the *Washington Post* followed suit. It could be argued that the *Post* actually set the real tone of the ombudsman role, because **Ben Bradlee**, the legendary editor of the paper, had defended the idea strongly before his board of editors (who were concerned that the position would undermine, rather than increase, the paper’s credibility) that the average reader of the *Post* is as intelligent as any editor or reporter here, if not more.

Bradlee went further than the Kentucky paper. He instructed the *Post*’s independent ombudsman not only to listen to complaints but also to comment publicly and critically on the paper’s performance in **regular columns**. This was the main difference from the *Courier-Journal*, whose ombudsman only reported internally.

Therefore, the establishment of ombudsmanship in the **Washington Post** arguably marks the “real beginning” of the era of news ombudsmen.

In the 70’s and 80’s many newspapers in the USA and Europe (not including the *New York Times*) would follow suit. They would be joined by **Le Monde** in France; **El Pais** and **La Vanguardia** in Spain; **Volkskrant** in the Netherlands; **Folha de Sao Paulo** in Brazil; the **Guardian** and **Observer** in the U.K.; **O Publico** in Portugal, **Maariv** in Israel, **Politiken** in Denmark; the **Toronto Sun** in Canada; **Milliyet** and **Sabah** in Turkey; and the **Hindu** in India, as well as others.

Although print media led the way creating ombudsman posts, broadcast news outlets followed suit. Public broadcasters in France, Canada and Australia established their ombudsman offices, granting wide independence to their “viewer representatives,” displaying unrelenting determination to institutionalize self-regulation.

Currently, there are 47 full-time ombudsmen registered as members of the **Organisation of News Ombudsmen** (ONO). There are 25 associate members, people who are either part-time ombudsmen, or journalists and scholars, and who are involved in ombudsman duties.

However, since not all ombudsmen worldwide are affiliated with ONO, the real number of news ombudsmen is higher, presumably somewhere between 100 – 200.

2. THE RATIONALE

WHY OMBUDSMEN ARE NEEDED

The characteristics that distinguish journalism from other professions also define journalists in a particular way. . Good journalists are independent and keen informers, unwavering observers, persistent investigators of real facts, aggressive examiners of power circles and institutions, free commentators and trustworthy advisors; practicing always under the guiding light of critical and skeptic minds.

Without a solid grounding in ethics, journalists, like doctors and lawyers, would lose their **raison d'être**.

Who journalists serve and what they produce must always be judged on the basis of their moral commitment and their conscience. Although the media must operate successfully as a business in free markets, and must meet the financial expectations of its proprietors, the media also has a profound social engagement: its primary task is to serve the interests of the public. It is entrusted with the common good of the public: its activity is centered on gathering as much information as it can and accurately and fairly disseminating it. In order to serve the public interest, the media must aggressively pursue the news and obstinately question powerful institutions and individuals, holding them accountable and pushing for transparency. Often, the truth has a “thousand faces” and in the practice of journalism it may involve asking very tough questions. .

This peculiar job, if well conducted, can serve as an engine for democracy: the journalists present the news as accurately and fairly as they can, in order to help citizens to make the best informed decisions for themselves.

Democracies succeed or fail to the degree they are able to agree on transparency and accountability of their institutions. Secrecy is not only venomous for central or local governments and their agencies, secrecy is also a threat to the private sector or public figures.

Fighting corruption and other crimes necessitates an independent and free media. In order for the media to have an impact and enjoy public trust it must remain uncorrupt and ethical.

The media acts on behalf of the public by asking questions and observing public institutions; it holds these institutions accountable.

But, does this mean, that the media is exempt from criticism if it fails to do its job properly?

Should the media be exempted from standards of transparency and accountability?

Can the media have any right to demand that its news subjects be transparent and accountable if the media itself is not transparent or held accountable?,

“It’s all about transparency. From transparency flows trust. Show your readers that you care about accuracy, about fairness, about getting the story right and you gain their trust. If they trust you they will buy you,” says **Stephen Pritchard**, President of ONO and ombudsman of the *Observer*, London.

“I can think of no reason why the press — with all its influence and power over the lives and minds of the people — should not be subject to the same kind of scrutiny as is focused on other powerful segments of the community: the government, military, business, arts, religion, finance and all the rest. Surely it is in the press’ own self-interest that such scrutiny — honestly and fearlessly done — come from within the press itself. If we don’t do it, somebody else — with perhaps nefarious motives — might do it for us.” (5)

CULTURE OF JOURNALISM

It is well-known that members of the media are generally perceived as arrogant towards the public; that journalists have a “thick skin” when it comes to criticism from their readers, listeners and viewers. The insensitivity of journalists has helped feed suspicions that journalists are often motivated by interests other than those of the public and that they chase their own agendas.

The public can sometimes point to news that has been “overblown” or “covered up” as evidence of these “hidden intensions” of journalists. The lack of transparency regarding journalism leads the people to believe that “something suspicious is going on out there.”

Like individuals in other professions, journalists make mistakes. As with every public institution, newspapers and broadcasters alike make mistakes: inaccuracies, factual errors, unfair treatment of sources or news subjects, lack of balance and honesty in news stories, bias, mixing facts with opinion, and misleading headlines, etc. These can occur in even the most distinguished news outlets.

Some cases of poor media practice may include errors in judgment, which may be harmful to individuals. Others may include lies, fabrications, or elements of plagiarism.

It would be fair to say that it is as impossible to print a perfect, mistake-free daily newspaper, as it is impossible to conduct a perfect 24-hour radio or TV broadcast. Journalists have to live with this fact.

Journalists know that their existence depends on their having an audience.

Stephen Pritchard explains:

“Any editor will tell you that those most important to them are the people who read their paper, their website, listen to their radio station or watch their TV channel. And yet it is astonishing how poorly the media treats those who consume them. Yes, they have letters pages and blogs, they have customer service departments and marketing focus groups, but how many have a staffer who stands back from the fray and really listen to them and, furthermore acts on their comments from a truly independent position within the organisation?” (6)

According to Pritchard, it is clear that the existence of an independent ombudsman helps build trust: “A survey of *Observer* readers two years ago showed 77 per cent trusted the paper more because it had a readers’ editor.” (7)

‘CONSCIENCE OF NEWS REPORTING’

Ombudsmen play a key role for those news institutions which understand the value of transparency, accountability and ethical behaviour. Ombudsmen build a bridge between the public and the newspaper or broadcaster.

They help make news institutions more transparent to the audience so that they can see how the news institution operates internally. The ombudsmen become the critical voice of the public internally, by giving the audience a sense of belonging they promote a more trusting relationship between the audience and the news organization.

Analogies have been widespread about ombudsmen: Some say they are the public cleaners of dirty linen.

Others describe ombudsmen as “doctoring the house.”

But, perhaps, the most fitting would be the description of the ombudsmen role as the “conscience of news reporting.”

There are a number of reasons why ombudsmen make a difference in newspapers and media broadcasts.

Organisation of News Ombudsmen (ONO) summarizes the reasons for ombudsmanship as follows (8):

- To improve the quality of news reporting by monitoring accuracy, fairness and balance;
- To help the news provider become more accessible and accountable to audience members and, thus, to become more credible;
- To increase awareness among 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 one responsible individual; and
- To resolve some complaints that might otherwise be sent to attorneys and become costly lawsuits.

In addition to the above mentioned reasons ombudsmen also help explain and clarify the rationale for the daily practices of news outlets and the mindset of journalists to to the audience. .

3. THE LAYERS OF FUNCTION:

TASKS OF OMBUDSMEN

A news ombudsman is, in essence, a “referee.”

He/she is an outside observer of the process of journalism at a given news outlet and “blows the whistle” whenever something is irregular or unfair.

A news ombudsman receives and investigates complaints from newspaper readers, radio listeners and TV viewers.

In the domain of the Internet, there are an emerging number of ombudsmen that share the responsibilities in more traditional media outlets; they scrutinize the content of news on the basis of complaints from the audience.

News ombudsmen work in two channels: “inwards” and “outwards.”

They operate as “spokespersons” for the readers, listeners, viewers and users, when they introduce their voices to the news outlet, and investigate internal wrongdoings. They also play a role in explaining to the audience how daily journalism works, how no human being (including journalists) is perfect, and by addressing the suspicion and negative stereotypes the public may hold about the practices of journalism.

The first, primary, function of a news ombudsman is to help encourage transparency and accountability in news outlets. In addition, a news ombudsman helps encourage the audience to feel that they are a part of the process and that their voice is listened to and taken seriously. By encouraging transparency in the news organization and creating a sense of inclusion for the audience the ombudsmen helps to build trust between the news outlet and its public.

By helping include the audience in the news organization, the ombudsmen bring the world of journalists closer to the general public to which they are committed to serving. The clearer the role of journalists is to their audience, the stronger the audience’s engagement in the “two way communication” conducted by the ombudsman.

KEY TASKS

As summarized perfectly by Michelle McLellan, a former public editor with the daily *Oregonian*, USA, there are six key tasks of ombudsmen (9):

- **Reader complaints and comments**
- **Communications with staff**
- **Reader communications**
- **Columns**
- **Corrections**
- **Reader outreach**

Complaints and comments are the main source of work for ombudsmen. Depending on the volume and circulation, the number of complaints and comments may vary. Most newspaper news outlets receive thousands of complaints on a monthly basis.

“People will call or write about factual errors in the paper, or if they think a story shows bias or if they don’t like a headline. Or if they think a photo is offensive. Or they don’t like the cartoons. It is important to answer as many as possible. This is important. People who feel their comments are ignored will see their complaints validated”, McLellan explains. (10)

As the complaints flood in, and those that require a staff response are identified, it is important that the staff of the news organization is informed about the nature of the complaints. The staff must be kept updated on the patterns of the complaints in order to understand where the critical sensitivities of the readers lie. Understanding the concerns of their audience can be helpful for editors as they make decisions in how best to reform mechanisms in news production.

In order to keep staff updated on the nature of the audience’s comments and complaints, a considerable number of ombudsmen write daily or weekly memos, while others keep the reader e-mail complaints accounts visible to entire staff. In a few cases, ombudsmen have organized internal discussions and ethics sessions for the staff.

An ombudsman and his office must be available as much as possible for reader communications. Readers often feel frustrated when they fail to reach editors or reporters, and they feel acknowledged whenever there is somebody who has the time and politeness to listen to them or to

respond to their mails and faxes. This does not mean that an ombudsman must “monopolize” communications between readers and the news outlet; on the contrary, he/she must encourage the staff to be open to the readers.

The telephone number and mailing address of the ombudsman must be clearly displayed in the newspaper on a daily basis. Ombudsmen must be as transparent as possible in his/her work. If he/she has a contract and a code of conduct it must be made visible (for example on the website) for the public.

COLUMNS AND ‘READER COUNCILS’

Most ombudsmen write regular columns. It is the most important element giving them visibility. They “air reader complaints and assess whether the newspaper is living up to accepted standards. Columns may also explain policies of the newspaper or examine broad journalistic issues.” (11)

Correction and clarification columns are part of some ombudsmen’s regular practice. It is crucial to acknowledge errors in print and provide the accurate information. Some newspapers have a policy of daily, fixed columns; others print them occasionally, as required.

“At some newspapers, the ombudsman has final say on running a correction and should lean towards publication. Many of us have a natural reluctance to acknowledge mistakes publicly. The ombudsman’s role is to bring detachment to the decision on behalf of readers,” explains McLellan. (12)

Ombudsmen can be fundamental in reaching out to the public. In some cases, newspapers have experimented with “reader councils” to enhance their efforts to build trust. This applies particularly well with papers whose audience is a local community. In cases where reader councils exist, ombudsmen can play a key part in organizing and shaping contact and discussion groups; and can be instrumental in facilitating dialogue with the editorial management to help refine the content of the newspaper.

4. QUALIFICATIONS:

WHAT MAKES A FINE OMBUDSMAN

Historic experience has shown that ombudsmen recruited to news outlets have a background in one of two fields: journalism or academia.

Opinion on whether a background in journalism or academia better prepares one for the role of ombudsman varies. While it has been argued that ombudsmen with an academic background strongly emphasize independence, they have been criticized for often failing to be realistic. Ombudsmen with an academic background often tend to focus on theory rather than practice, and have encountered problems of credibility amongst the staff..

The overwhelming preference among publishers and editors is for ombudsmen who have had a strong career and emphasize professional integrity, are committed to the values of journalism. These ombudsmen should have skills in psychology and a sense of how to balance the daily aspects of the job along with the rules and ideals of the profession.

Experience has shown us that the more knowledgeable an ombudsman is of his/her news outlet, the easier he/she is accepted as an internal critique. Depending on how accepted the ombudsman is by the staff of the news organization, their views can have a deeper impact and they may be given more respect.

As **Art Nauman** elaborates, the characteristics of a fine ombudsman are (12):

“First, a deep understanding of the journalistic process. He or she should be a veteran reporter or editor. He or she should have ‘been there,’ as we say, and should understand exactly how journalists go about their business. Second, a deep understanding of the community the paper serves; its demographics, its history, its geography. Third, a genuine interest in people — the ability to listen to them without instantly raising defensive walls. Tact and friendliness obviously count for a great deal. Finally, the successful ombudsman needs a tough outer skin, and strength of character and resolve to withstand the psychological rigors of that ‘aloneness’ that comes to every ombudsman.”

5. MANNERS AND MEANS:

HOW OMBUDSMEN WORK

Ombudsmen monitor news and feature columns, visual and graphic materials (on the basis of a code of ethics) and print quality. They bring shortcomings and flaws to the attention of the staff and the editorial management. In addition, they investigate and respond to questions, comments, complaints from readers, with explanations and arguments from editors and other staff members when appropriate.

Some ombudsmen also are involved in describing the daily routine and “reasonings” in news meetings and changes in the news outlet.

However, even though they share some responsibilities, none of the ombudsmen work in an identical manner.

The profile and character of the news outlet, the national or regional environment in which the outlet operates, the personality of the ombudsman, the job definition as described in the ombudsman’s contract, and the culture of the newsroom play important, defining roles in shaping the nature of the ombudsman’s work.

Some ombudsmen call themselves a “readers’ editor” or “reader representative.” Others are known as a “public editor,” “viewers’ representative,” “readers’ advocate,” or “readers’ spokesperson.” In France, they are described as a “mediateur” or “mediatrice.”

Most of them are visible to the public; a minority of them are not. The former openly share their output with the audience; the latter report only internally.

Years ago, one of the pioneers of ombudsmanship, **Art Nauman**, who had served as ombudsman of the Sacramento Bee had said that “some ombudsmen have more independence than the others,” and it is still very true as of today. (13)

INDEPENDENCE IS THE KEY

This statement also points to the fact that independence, perceived and real, is the essential element of an ombudsman's work and must be fully guaranteed.

According to Michelle McLellan, "Independence is the key to ombudsmanship. Publishers and editors who want an ombudsman must be ready to take criticism, to see complaints aired publicly and to let the ombudsman offer his or her assessments freely even if they don't agree. In short, it is no good to be the ombudsman for a news organization whose executives really just want window-dressing". (14)

CONTRACT AS A GUARANTEE

Years of international experience has proven that more independence is given to those ombudsmen who have a contract, a written commitment. The ombudsmen of the ***New York Times*** (USA), the ***Washington Post*** (USA), the ***Guardian*** (U.K.) or ***Sabah*** (Turkey), for example, have contracts.

A written contract not only guarantees the status of the ombudsman, but also acts as a public statement of the employer's commitment and respect for the ombudsmen.

A written contract makes it clear that ombudsmen can not be fired for either internal or external oral or written statements.

Whether they have a contract or not, ombudsmen must operate in complete freedom; he/she must be given the power to choose, investigate complaints, reach their own conclusions and engage with the public in the way he/she prefers.

The majority of ombudsmen publish their findings weekly; others publish their findings on a fortnightly or monthly basis, or whenever the circumstances necessitate..

ONLY THE OMBUDSMEN MAY EDIT OMBUDSMEN'S COLUMNS

It can be argued, that the columns of the ombudsmen truly belong to the readers of the newspaper (or periodical) he/she works with. What he/she writes can not be subjected to external intervention, negotiation or censorship. It is expected to reflect reader complaints and maintain an

independent viewpoint. In other words, the ombudsmen columns are “holy territories” granted to the readers, a constant proof of news outlet’s engagement in transparency and accountability.

Although most ombudsmen act upon specific reader complaints, some have been given the jurisdiction to react to mistakes and shortcomings in the content on his/her own.

How ombudsmen in broadcast journalism work also varies. Some of them share their findings and views publicly on television or radio programs; others operate as internal critics, reporting complaints vertically and/or horizontally within their organizations.

Despite the differences in manners and methods between ombudsmen, there is a key element which unites all ombudsmen: they are engaged in self-critical activity and remain committed at all times to maintaining the accuracy, balance, fairness and honesty in the news.

THE ROLE OF ETHICAL CODES

When monitoring and judging the validity of complaints, the ombudsmen always have a “base”, which is either a national code of ethics, or, preferably, specific codes that bind a news outlet to honest, principled work. Such an approach is helpful in keeping the public aware of the ethics of the news organization and also serves as a constant reminder to reporters and editors of the ethics that should be observed.

The ombudsman is not – and should not – be given powers to sanction. He/she does not have the authority to hire or fire reporters or editors. What the ombudsmen report should only be taken as suggestions; the ombudsmen may only present the problems and offer possible solutions to them. The final decisions on how to resolve complaints should remain with the management of the news outlet.

Ombudsmen are involved in the reactions to and evaluation of the final news product. Ombudsmen can not be engaged in pre-emptive scrutiny. Therefore, many ombudsmen prefer not to participate in newsroom meetings. But yet again, the approach of ombudsmen varies: some take part in news-planning meetings and others in the daily debates on, for example, front page content, because they wish to be able to explain to the public the reasoning of journalists in choosing and shaping their stories.

Almost no ombudsman is expected to deal with opinion columns or editorials. As **Art Nauman** explains it: “every editorial opinion is unfair, unbalanced and inaccurate – by somebody’s point of view... It is in the news columns where accuracy and balance are expected – and absolutely essential.” (15)

In addition to not dealing with opinion columns or editorials, ombudsmen are also not generally expected to deal with personal opinion columns as they are usually subjective, one-sided and reflect a personal, biased viewpoint. Ombudsmen are not expected to handle complaints about opinion pieces because such complaints are usually just a different viewpoint.

The public should not be encouraged to believe that ombudsmen may act as a “censor” of opinion. Similarly the public should not be encouraged to expect ombudsmen to curb “bold reporting of news, in issues of absolute public interest,” as Nauman pointed out. (16)

However, there are areas in the domain of opinion pieces that a few ombudsmen feel entitled to enter: factual or linguistic errors in opinion pieces have been corrected by ombudsmen. Ombudsmen have also become involved in opinion pieces in cases of plagiarism or a deliberate manipulation of the facts – for example, if statistics used in a piece are arguably misleading to the public.

HOW OMBUDSMEN COMMUNICATE

Ombudsmen communicate with the readers, listeners and viewers by various means. In the age of the Internet, e-mails have been the dominating channel of communication. However, telephone calls and faxes are still very popular. While, snail-mail has lost much of its attraction.

Depending on the circulation size of the newspaper or periodical, or the number of listeners or viewers, ombudsmen may be very busy, even overloaded with work. The daily routine of a news ombudsman includes responding to individual complaints or questions, depending on the legitimacy of what they say or ask. The swiftly growing readership of news online add considerably to the pressures of an ombudsman as well. To manage workflow in major news outlets, a majority of ombudsmen work with at least one assistant.

EAST AND WEST

There are a number of differences between the daily routine of news ombudsmen in the West and East. All of the ombudsmen in the West, whether they work with a staff or not, work as a singular mind and voice. The narrative of a legendary ombudsman of the ***Washington Post*** in the 1980's, **Joann Byrd**, explains the nature of his position and his daily routine (17):

“I scour the paper for four or five hours every day with a pen in my hand. It takes me nine hours to critique the Sunday paper. When I'm done reading and marking up the paper, I have individual conversations with editors and reporters, or I send individual notes or torn-up pages of the paper to staff members involved. Or I save up examples of flaws or problems and gather them together in a huge memo that goes out periodically to the whole staff and to the executives of the company.

When the subject is one I think is of interest to the general public, or a topic on which I get a lot of calls, I take it up in my Sunday column on the editorial page. Nowhere is independence more valuable than when the ombudsman is acting as the internal critic. And The Washington Post ombudsman position is the model of independence. I am not an employee, but serve a two-year contract as an independent agent. My contract can be renewed for a maximum of two more years. I have just agreed to stay for one more year.

When I leave the ombudsman job, I cannot ever work for The Washington Post Co. again. The purpose of that is that I will not be inclined to praise The Post in hopes of getting a staff job with the paper when I'm finished.

I get no suggestions and virtually no feedback from the leadership of The Washington Post. They feel so strongly that I must be independent that they never tell me if they like something I do, or if they hate it. The people who complain or compliment me on my work are middle-level editors or reporters and photographers. No one sees my internal critiques before they go to the whole staff. The only person who sees my Sunday column is a copy editor who is allowed to work only on my spelling and my grammar.

I cannot be fired for what I write.

And I have no authority except whatever moral authority comes with the job. I never see a story or a picture before it appears in the paper. I do watch most story conferences, where the editors decide what will go on the front page. But I don't say a word until I have the paper in my hands. I see it the same time Post subscribers do."

I think the ombudsman's independence is important for credibility with the newspaper's readers. The ombudsman can bring to the news operation what an editor can bring to a story: a fresh set of eyes that can spot things the person doing the work can't see."

'OMBUDSMEN COLLECTIVE' MODEL OF YOMIURI SHIMBUN

The experiences of news ombudsmen in Japan differs from the "individual ombudsman" style of the West. The Japanese style of news ombudsmanship is exemplified by the ***Yomiuri Shimbun***, where ombudsmen have established a work scheme as a group rather than as individuals.

Yomiuri has a committee of ombudsmen, whose number of members varies between 23-28. Each member of the committee is responsible for scrutinizing and listening to reader complaints regarding certain sections and prints of the newspapers (the paper is constantly reprinted during the day).

Every day, at a fixed time, the members of the committee meet with the editors responsible for those sections and/or pages. Each and every "sub-ombudsman" reads the complaints and findings while the editor takes notes of corrections and modifications that need to be made. Although a clear example of a specific culture of journalism in Japan, the financial well-being of the newspaper makes it possible to afford a group approach.

6. 'CYBEROMBUDSMEN':

HOW TO MAKE ONLINE JOURNALISM ACCOUNTABLE?

Undoubtedly, the Internet has had a significant impact on journalism worldwide. The Internet has not only helped trigger an explosion in the number of news outlets, independent websites and blogs, it has also opened up suppressed corners of the world to the free flow of information. In addition it has allowed the public to be more involved in the news process and has changed the practices and content of journalism.

The Internet and explosion of online news outlets has posed new, enormous challenges to the conventional wisdom and ethics of journalism. As the Internet weakens editorial control of content, the need for self-regulation in the virtual domain has become more apparent and urgent than ever.

News outlets must cope with checking and posting a huge volume of information made available by the Internet at an increased speed. .

The challenges to major news outlets that operate in the most-spoken languages(English, Spanish, Arabic, and French, etc.) are obvious: their audience is not bound by geographic borders. As the Internet changes the news industry's important questions about the traditional values and ethics of journalism (such as accountability, honesty and balance) have been raised..

For instance, can news organizations that are financially challenged still maintain democratic values and institutions? What is the value of the mainstream media when the Internet seems to be attracting more attention and revenue? And how can media organizations sustain the trust of their readers, listeners and viewers? There are no easy answers to these questions.

Jeffrey Dvorkin, Secretary General of the **Organisation of News Ombudsmen (ONO)** and a former ombudsman of **National Public Radio (NPR)**, of the USA, sees the need for ombudsmen increasing a great deal in the age of the Internet.

He elaborates (18):

“Mainstream media are increasingly on the defensive about their continued role at a time when the public seems to be seeking information in other ways and in other places such as the internet. That has allowed some media critics – usually bloggers – to accuse legacy journalism of increasing irrelevance. In a way they may be right: as circulation and ratings decline, media organizations are looking for ways to sustain their diminishing numbers often by “infotainment,” celebrity journalism and crime reporting.

In a constant search of efficiencies, news organizations everywhere are rationalizing resources, seeking that elusive younger demographic by beefing up their websites, but abandoning more expensive aspects such as investigative reporting. Many are letting go some of their most experienced editors and reporters, including ombudsmen.

We seem to be living an existential crisis for journalism: Can journalism survive without journalists? The same question can well be asked of news ombudsmen – those independent, in-house critics and mediators between the public and the news organization. Can news organizations rely on cyber-critics rather than ombudsmen?

The internet is both the villain and the savior for media organizations: on the one hand, managers are certain that their audiences are being lured away by the siren songs of the blogosphere; on the other hand, in-house bloggers and websites are being created everywhere.

The value of an ombudsman seems more urgent than ever before. Media critics in cyberspace have real value in channeling the concerns of the public; but holding media to account and to greater transparency seems more ably done by ombudsmen.

How can these two essential ingredients be joined for the benefit of citizens?

One way would be for ombudsmen to be more open and aware of the criticisms in the blogosphere. Ombudsmen are uniquely situated and qualified to act that the bridge that can connect the public’s hunger for accountability with the news organizations’ acknowledgement that they must do a better job.”

Dvorkin writes that “ombudsmen must be in the forefront of this linkage by being advocates for a Bloggers’ Ethics Guide.”

He suggests that the code of ethics found at www.cyberjournalist.net is applicable to a large extent. Like the ethics guides for other legacy media, this website advocates the following for bloggers (19):

- *Be honest and fair*
 - *Never plagiarize*
 - *Identify and link whenever possible*
 - *Distinguish between fact and opinion*
- *Minimize harm*
- *Understand the differences between Private and Public*
- *Be accountable*
 - *Admit mistakes and correct them promptly*
 - *Invite dialogue*
 - *Disclose conflicts of interest, affiliations, personal agendas, etc.*
 - *Deny special treatment to advertisers, friends, special interests.*
- *Beware of making deals*
 - *Develop your instincts around information exchanges*
 - *Disclose favors*
 - *Expose unethical practices (citation necessary if this taken directly or paraphrased from book)*

Dvorkin emphasizes that “As cyberjournalism becomes more prominent, ‘legacy’ ombudsmen can have a positive role in nurturing ethical behavior. In the process, the sharing of knowledge can only serve to benefit the public who need reliable and transparent information, wherever they seek it.”

Dvorkin compares the new role of ombudsmen in the digital age to “three-dimensional chess” (20):

“Those of us who have operated as ombudsmen inside media organizations have a good idea of how that job works, or not. When done correctly, it is a demanding task, often one that requires seven day a week attention. But there is an inherent passivity to the task. Ombudsmen usually wait for the public to identify an area of concern and then respond. But that more leisurely approach is ending along with the public’s impatience for change. Content in moving to the web and so must ombudsmen.”

Imagine being an ombudsman in cyberspace with its lack of boundaries, deadlines and limitations. A useful analogy would be playing three- dimensional chess where the players may not always anticipate where the next attack might come from.”

Dvorkin believes that the new age of online media ushers in the need for **“cyberombudsmen” (21):**

*“Being a ‘**cyberombudsman**’ will require new skills because it will require the same viral approach as the new medium itself demands. That means taking a more pro-active role, seeking online the discussions and issues that have an impact on the journalism. To borrow a sports analogy, it means playing a lot of ‘offense’ more than ‘defense.’ The new role will be one where the skills of key word searches, algorithms and a constant connection with media bloggers will combine to create a new form of ombudsmanship.*

*In effect, this next generation of **“cyberombudsmen”** will be the new bridge not only between traditional media and traditional audiences. He or she will also have to bridge the gap between traditional media and their rapidly proliferating corps of digital critics.*

This means that in order for journalism to fulfill its own critical role as a lynchpin for democratic values, media organizations and ombudsmen need to reassess their roles and relationships – with each other and with the rapidly evolving audiences who remain hungry for accountability and integrity.

The credibility of the news organization rests increasingly on the willingness to admit mistakes and to allow the public into the now no longer mysterious process. Citizen journalists increasingly feel they have the right to challenge the media, but too often they attempt this without the knowledge or the ethical capacity to do this effectively.

The old model of the ombudsman as the solitary, experienced and somewhat isolated figure in the newsroom needs to change. The way to make this work is to engage more and younger journalists with their skills and their new ways of making sense of the world. They must be brought into the media business with the specific

*and urgent task of transforming ombudsmen into
“**cyberombudsmen**” and creating a new and needed approach
to digital democracy.”*

7. THE PRACTICE IN THE GUARDIAN:

A GLOBAL MODEL?

The best examples of print news ombudsmanship are, arguably, practiced in three of the world's leading newspapers: **the *Washington Post*, the *New York Times* and the *Guardian*.**

The *Washington Post* and *New York Times* have traditionally recruited ombudsmen from outside the organization as a means of guaranteeing complete independence. The *Guardian*, on the other hand, has granted the same rights, but has so far hired ombudsmen from within the organization.

It is hard to say which whether external or internal hires are more effective; there are pros and cons to both models. Those who favor outsiders say it makes a powerful impact if the newspaper is scrutinized by someone who is impartial to internal knowledge of the organization. Defenders of the insider model argue that a knowledge and familiarity of the work and staff of an organization are useful in making independent judgments.

However, in terms of commitment, structuring and output of the ombudsman role the practices of the *Guardian* stand out for a number of reasons.

First, because of the nature of the ownership of the London paper (it is a property of the **Scott Trust**).

Second, the commitment of the Editor of the *Guardian* for the function of the ombudsman has thus far been impeccable.

Third, the definition of the ombudsman role has been thoroughly defined allowing the ombudsman to act independently with transparency and multi-layered accountability.

Ian Mayes, the first Readers' Editor with **the *Guardian***, and who served between November 1997 – April 2007, explains the role of the ombudsman at the *Guardian* in the following way (22):

“Most complaints, including those that do not get into the daily corrections column, may be seen by any staff journalist, since everyone has access to the “reader” queue to which your emails are directed - and email is now easily the most common way of contacting me. My replies to readers, unless there is some special reason for their remaining private, may also be seen in the same queue.

The system was designed to be conducted within the Guardian in as open a manner as possible. It has also been open for inspection by other journalists, including many from abroad, and to media departments of universities, for instance. One of the latter is interested in having access to the accumulated correspondence of the past three years which perhaps shows, in a way that has not been possible before, the range of complaints a newspaper attracts. The correspondence also reveals what is not apparent - the complaints that get rejected, or which I fail to resolve.

In practically all cases complaints are forwarded to the journalists whose work has provoked them.”

As readers' editor, I was guaranteed total independence. This means that I cannot be sacked by the editor of the paper (that would have to be done by the owner of the paper, the Scott Trust). Neither the editor of the paper nor anyone on his staff can interfere with the content of the corrections column or of this Open Door column. I play no part in the production of the Guardian or in commissioning for it (I am not the letters editor).

It has been a genuine contract, making bearable a position that would otherwise quickly have become untenable - between the Guardian's journalists and its more than 1m readers (and its approximately 40 million daily unique users online, yb).

I am not briefed to defend the Guardian. If I cannot resolve a complaint in a manner that seems to me fair to everyone concerned (including the journalist), and the person who has complained remains unsatisfied, then I point out other courses which might be followed. The complaint could be taken to the Guardian's external ombudsman, John Willis (especially if it is a complaint about the way I have handled the matter); it could be taken to the Press Complaints Commission; or the complainant could take it to his or her lawyer. All these things have been done.

The external ombudsman operates under a guarantee of independence like my own. Once the Guardian is involved in a complaint to the PCC or in litigation, I play no further part. I never represent the Guardian in a complaint brought against it.

The paper, it has perhaps become clear, now has an expectation of its journalists that goes beyond the requirements of the PCC (Press Complaints' Commission, yb) code, to which it adheres.

Under the code the Guardian is required to see that the rules are observed rigorously, not only by its own staff, but by anyone contributing to its publications. We take that to mean to the paper or to the website or any other form of publication for which the Guardian is responsible. Beyond the provisions of the code, the Guardian tries to be scrupulous about declarations of interest on the part of its contributors, and in its condemnation of plagiarism. It is urgently in need of guidelines, or just a friendly letter, to help freelances, in particular, and I am trying to encourage the formulation of something that might be helpful.”

8. THE TURKISH EXPERIENCE:

OMBUDSMANSHIP IN A HOSTILE ENVIRONMENT

The concept of print news ombudsmanship was introduced to the Turkish press in the spring of 1999. It was I, the author of this paper, who was approached by the Editor of the daily *Milliyet* in late 1998 about ombudsmanship.

The Editor, Umur Talu, had just been reappointed to his post after some years of absence. He had penned a national code of ethics for the Turkish Journalists' Association (TGC) and shared with it me, as well as a number of other colleagues. He was deeply concerned and argued that steps needed to be taken in order to restore the public's confidence in the press.

Confidence in the press had fallen to an all-time low, due in large part to widespread corruption in the Turkish media and its ill-practices in using the media to further political, military and bureaucratic purposes.

The first ombudsman column appeared as a full-page in March 22, 1999. It was preceded by a lengthy work on *modus operandi*. I studied at length various forms of international practice, and spent some time introducing the idea to the editors and reporters, in an attempt to warm them up to the idea of news ombudsmanship.

It took some time for the staff of *Milliyet* to accept the notion of being "exposed" to the readership for accountability and transparency. Explanations on the importance of the ombudsman role had to be given. These attempts would not have been successful if the Editor had not openly and rigorously displayed his support for the ombudsman's role.

Hence, this is one of the fundamental lessons of the ombudsman function anywhere in the world: for efficiency and consistency, firm support from the management is key.

In the first year, the ombudsman's column continued as a full-page, often including interviews or articles by ombudsmen active in different parts of the world. These interviews and articles explained to *Milliyet's* readers the role of the ombudsman. .

The weekly Monday columns continued for slightly over five years, and the reader's representative of *Milliyet* covered a wide range of issues. The column was based on the issues raised in the 500 complaints he received on average each week from readers. Complaints were made on a variety of issues from simple factual errors, to cases of bias, to ads on the front page, etc.

ROAD CLASH

However, the ombudsman's role, considered a success by the observers of Turkey's media landscape, ended in conflict during the summer of 2004.

In June, a news story, pulled out of a column by Ankara Bureau Chief of *Milliyet*, caused a wave of complaints and denials. It was about a secret meeting of 'experts' in the US State Department.

The story, a mixture of claims based on one anonymous source, and comments by the columnist, referred also to "quotes" made by various people who were allegedly participants in the meeting. The story was about the Kurds of Northern Iraq, and dealt with the politically explosive issue of a possible Kurdish takeover of the city of Kirkuk by the Kurdish militia.

Almost all of the people named in the story denied, some with concrete proof, that they had ever participated in the meeting. The "facts" in the story were never double-checked, not even by the Washington correspondent of the newspaper (she too denied that such a meeting took place). Furthermore, in an unusual move, the American Embassy in Ankara issued two consecutive denials of the story, but *Milliyet* refused to print them.

The writer of the story, the Ankara Bureau Chief, refused to cooperate with the ombudsman for a correction and a proper apology. He left questions unanswered, but revealed the name of the the anonymous source in confidence. The source, furious and frightened that his identity would be revealed to the public, answered some of the questions by the ombudsman, and swore to tell the truth: he had been given information about the meeting by some generals in top military command headquarters; he had no proof of such a meeting having taken place.

Since there was clear proof that the "facts" had been fabricated, it was obvious that *Milliyet* had been used as a tool for disinformation and for

misleading the public. It was apparent, from journalistic point of view, that some generals wanted to prevent the civilian government from improving its relations with the Iraqi Kurdish leaders at that time.

Three days before the deadline, the Ankara Bureau Chief threatened to resign if the ombudsman column dealt with the issue at all. Some experienced editors and columnists, on the other hand, openly declared their belief that the only way to clear the paper of the “mess” would be through the ombudsman’s investigation and a thorough self-critique.

With the threat of the Bureau Chief’s resignation, a crisis erupted. Two days before the ombudsman’s column went to print, the ombudsman was hastily summoned to the proprietor’s office. In a tense private meeting, he was ordered by the proprietor not to write anything about the issue. The ombudsman refused, saying it was an undue interference with his job, and he was doing exactly what he was paid for. He insisted his critical article be published.

The management, in the end, decided the column should be published. But, after three weeks of tense relations, the ombudsman was told his time at the news organization was over. He was forced to leave all his duties and parted the company. The proprietor refused even to publish a gentle farewell column by him to *Milliyet* readers.

A PAINFUL LESSON

During his employment, the management had been unwilling to prepare a specific contract with the ombudsman to guarantee him full independence. The issue was never concluded. At the time of the crisis, there was, sadly, no clear reference point securing the position of the ombudsman.

The ombudsman was recruited a short time after the incident by the rival paper, Sabah. Drawing the valuable lesson from the incident at *Milliyet*, the ombudsman presented two conditions for the employment.

First, a specific contract guaranteeing the independence of the ombudsman would be signed by the parties. The contract would clarify the code of conduct for both sides.

Second, the name of the post and ombudsman would be included, in its own corner, in the masthead of the newspaper. The first would give the ombudsman full job security in what he did and the second would

announce to the readers, every day, the newspaper's commitment to making itself constantly transparent and accountable.

Both conditions were met.

The Code of Conduct is displayed on the website of the newspaper. Since November 2004, Sabah's Reader Representative writes columns on Mondays, with no interference or any attempt to censor the content. He does not participate in newsroom meetings, in order to avoid being asked to comment on issues before print. Occasionally, he joins (correct) front page meetings on days a complicated and big news story breaks. Ombudsman participates in these meetings in order to be able to convey to the readers the staff's reasoning on various aspects of the story.

Currently three news outlets have active ombudsmen in Turkey: *Sabah*, *Star* and *Milliyet*. *Hürriyet* dropped the post last year, following a controversy between its editor and ombudsman.

The ten-year ombudsmen experience in Turkey has helped strengthen the argument for individual ombudsmen, rather than press councils, as a more efficient form of self-regulation.

In emerging or transitional democracies, the media tends to be in general more divided, polarized and ideological, making it more difficult than in full-fledged democracies to build unity around issues concerning journalism. In such emerging democracies attempts to build consensus around critical issues related to democracy can face great challenges.

In many cases, it has become apparent that a commitment to an external form of self-regulation may suffer. In a turbulent media environment, it is easier for each and every news outlet to engage in internal models of self-regulation.

9. THE PLATFORM:

ORGANISATION OF NEWS OMBUDSMEN (ONO)

Formed in 1980, the Organisation of News Ombudsmen (ONO) is a nonprofit corporation with an international membership of active and associate members. It maintains contact with news ombudsmen worldwide, and organizes annual conferences, held in a member's city, for discussion of news practices and a wide range of issues connected with ombudsman work.

The Organisation of News Ombudsmen declares its purposes (23):

* To help the journalism profession achieve and maintain high ethical standards in news reporting, thereby enhancing its own credibility among the people it serves.

- To establish and refine standards for the job of news ombudsman or reader representative.
- To help increase the establishment of news ombudsman positions at newspapers and elsewhere in the media.
- To provide a forum for exchanging experiences, information and ideas among its members.
- To develop contacts with publishers, editors, press councils and other professional organizations provide speakers for special interest groups and respond to media inquiries.

The mission statement by ONO was approved in 2005 by a unanimous vote.

It states the following (24):

1. The news ombudsman is dedicated to protecting and enhancing the quality of journalism by encouraging respectful and truthful discourse about journalism's practices and purposes.
2. The news ombudsman's primary objective is to promote transparency within his / her news organization.
3. The ombudsman works to protect press freedom and promote responsible, high-quality journalism.
4. Part of the ombudsman's role is to receive and investigate complaints about news reporting on behalf of members of the public.
5. The ombudsman recommends the most suitable course of action

to resolve issues raised in complaints.

6. The ombudsman is an independent officer acting in the best interests of news consumers.

7. The ombudsman strives to remain completely neutral and fair.

8. The ombudsman refrains from engaging in any activity that could create a conflict of interest.

9. The ombudsman explains the roles and obligations of journalism to the public.

10. The ombudsman acts as a mediator between the expectations of the public and the responsibilities of journalists.

The internet address of ONO is:

www.newsombudsmen.org

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