NEWS OMBUDSMAN IN MEDIA ORGANIZATIONS: A CHALLENGE TO THAILAND MEDIA SELF-REGULATION

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Abstract - The purpose of this study was to examine the challenge of Thailand media self-regulation through news ombudsman, which included the international practices of news ombudsman and the factors which might support or hinder this self-regulation mechanism. The study applied document analysis and in-depth interviews. Ten news editors and executive editors of both newspaper and broadcasting media were the key informants in this study. The findings showed that in Thailand both newspapers and broadcasting media had set up news ombudsman committees in their organizations. While the Thai Press Council was the key organization initiating this system of self-regulation among its members, broadcasting media on the other hand were required by NBTC regulation to establish this organ. In the U.S., news ombudsmen usually were former senior editors and working alone, whereas in Japan they worked in the form of committees. In both countries, the news ombudsman not merely received and considered complaints from readers/audiences but monitored the coverage and contents of media productions. The factors affecting the work of self-regulation by news ombudsman included: the policy of media organizations, internal communication among its staff, especially editorial staff, freedom of news ombudsman and their understanding of media professionalism, as well as clearly stated guidelines, rules and directions of self-regulation. The main goal will be self-regulation to enhance media credibility and accountability.

Index Terms - News ombudsman, self-regulation, mass media organization, Thailand.

I. INTRODUCTION

Media regulation could be considered in two perspectives: social perspective and market perspective. Both perspectives allow for state regulation, but with different roles. On the one hand a social perspective believes that the state should support free press and a pluralistic media doctrine which allows the media to play an important role in the public sphere. On the other hand a market perspective believes that the state should sustain fair competition in the media business in order to increase the effectiveness of using communication resources and to protect consumers [1].

A research study from the Office of National Broadcasting and Telecommunication Commission (NBTC) suggested four models of media regulation in Thailand as follow [2]:

A. Direct Government Regulation

The government totally controls the media business through laws and regulations. This model had been executed in Thailand for more than 6 decades before the media reform era in 1997.

B. Quasi-regulation

The state did not directly control the media; rather made suggestions and recommendations or formed agreements among media professionals and government agencies for regulation and control of certain aspects.

C. Co-regulation

Media professionals apply a self-regulation concept and the state provides particular authorities and creates a regulatory backstop in case self-regulation failed.

D. Self-regulation

Media professionals agree on self-regulation and no state regulation is involved.

Thailand applied direct government regulation for more than six decades; and after the media reform era, starting from 1997, self-regulation has been emphasized. The regulator, NBTC, also supported this regulation model as indicated in the Broadcasting Business Act of 2008, which indicated that NBTC supports collaboration among broadcasting professionals, producers and business in any form that would create a code of conduct/ethics or any kinds of operations to support self-regulation.

Actually, before the Broadcasting Business Act of 2008 many media organizations, especially in the newspaper business, have applied self-regulation under professional associations and press councils, for example: Thai Press Council, Thai Journalists Association, Thai Broadcasting Journalists Association, and Thai Local Reporter Association. They all had set up and applied professional codes of conduct and journalism ethics for a long time. However, there is still another mechanism that was not being applied in many Thai media organizations; that is, news ombudsman, which had been initiated by the Thai Press Council in 2017. [3]

This article aims to explore the challenge of Thai media self-regulation via news ombudsman. The following sections will explore the international practices of news ombudsman, and the factors affecting the implementation of this mechanism.

II. METHOD

This qualitative study applied document analysis and in-depth interviews. The analyzed documents included related research studies, annual reports, rules and laws about media regulation. Purposive samples of 10 journalists and editors from both newspaper and broadcasting media were interviewed. Data were analyzed using descriptive analysis.

III. WHAT IS NEWS OMBUDSMAN

Ombudsman is a Scandinavian word in origin meaning representative. Its roots come from political science study ever since King Charles XXII of Sweden (1677) appointed a delegate to handle citizens' complaints about the government while he was not in the country [4]. This idea from political science aimed to monitor the state administration. An ombudsman is someone who handles complaints and attempts to find mutually satisfactory solutions. Ombudsmen can be found in government, corporations, hospitals, universities and other institutions. In Thailand, there is also National Ombudsman, an independent agency, which functions for this purpose in Thai politics.
When people applied this idea to the mass media business, it was called slightly different term; such as, news ombudsman, journalism ombudsman, public editor, reader editor, reader's perspective, etc. According to Thai Press Council, the internal committee for monitoring and receiving complaints from readers/audiences about accuracy, balance and fairness of the news coverage is called media ombudsman.

The Organization of News Ombudsman (ONO) indicated that a news ombudsman receives and investigates complaints from newspaper readers or listeners or viewers of radio and television stations about accuracy, fairness, balance and good taste in news coverage. He or she recommends appropriate remedies or responses to correct or clarify news reports. Most media organizations hired former senior editors for this duty, since they were experts in the journalism profession and were respected by most news workers in the organization. However, different media organizations work differently. Some organizations appointed an individual person; some hired many for working as a committee [5].

IV. INTERNATIONAL PRACTICES

In the U.S. the practice of having a news ombudsman was initiated around 1913 by Ralph Pulitzer, a son of Joseph Pulitzer, a well-known American journalist. He set up the Bureau of Accuracy and Fair Play in his newspaper, New York World. The purpose was to increase the standards of journalism practice, because of yellow journalism at that time. The director of the Bureau of Accuracy and Fair Play had a role to receive complaints and monitor the news and articles published by the newspaper. Later, in 1967, news ombudsmen were set up in The Courier-Journal and The Louisville Times in Kentucky. In 1970, Richard Harwood, a news ombudsman of Washington Post, was the first news ombudsman to have his news ombudsman column appear in the newspaper [6]. Since then, American newspapers applied this mechanism in their organizations. In 1980 a non-profit organization concerning this affair, the Organization of News Ombudsman (ONO), was established. Its members are news ombudsmen and media organizations around the world. Their mission is to increase journalistic professional standards, accountability, and credibility of the media organization [7]. In 2003, Daniel Okrent, the ombudsman of New York Times, found fraud and plagiarism in stories reported by Jason Blair, a popular reporter of New York Times. Finally, Blair was fired [8]. Data from the ONO website shows that news ombudsman are employed in the U.S. media such as New York Times, Public Broadcasting Corp., National Public Radio, LA Times, ESPN, Toledo Blade, and Kansas City Star, etc. [9].

In Japan, Asahi Shimbun was the first newspaper to set up a news ombudsman committee, responsible for receiving complaints from readers. The newspaper accepted that deadlines often pressured them to report stories without thorough fact-checking. Many times the newspaper published the stories; and if there were any errors, apologies came later. In 1938 Asahi Shimbun started setting up a committee acting similar to news ombudsman in the U.S. At the advent, the committee did not receive adequate collaboration from many internal staff, especially reporters and editors, yet after a while, they found that the committee helped increase the newspaper's credibility and journalistic professional standards [10].

In 2015, iMediaEthics website reported that Asahi Shimbun hired three former senior editors adding to the four existing ombudsmen, after it found lots of readers' complaints [11].
Yomiuri Shimbun, its business competitor, also set up an ombudsman committee in 1938, due to the increase of lawsuits about mistaken news coverage. The newspaper had 23 news ombudsmen working in a committee for monitoring and receiving readers' complaints. They also had a regular daily meeting with the editors [12].

V. FACTORS CHALLENGING THAI NEWS OMBUDSMAN

There are 24 free digital TV broadcasting channels in Thailand. All of them are commercial broadcasting.

However, only some of them started setting up a news ombudsman committee since last year. But ThaiPBS, the only public broadcasting station, first initiated a news ombudsman committee since 2010. It consisted of representatives from internal staff, and external stakeholders; such as media professionals, consumer protection association, mass communication academia, and audience council. Since the public broadcasting model concerns plurality and public interest, the committee received complaints and concerns from many stakeholders, mainly about unfair or imbalanced news coverage, misinformation in stories, too much business promotional content, etc.

At the same time, Thai Press Council initiated this idea in 2016 and it was fully established in many newspapers. Each newspaper set up its committee, composed of representatives from the owners, editors, reporters, law and mass communication academia. Before the establishment of news ombudsmen, the media received complaints through its call centers. Many times readers or audiences filed complaints with the Press Council, but it took a very long time for solutions and remedies. The presence of news ombudsmen in each newspaper was expected to enhance the effectiveness of solutions and remedies, which in turn would increase media credibility and journalistic standards.

The editors, being interviewed, explained that Thai news ombudsmen might not be able to work actively and independently. Rather their roles would be more passive than active; receiving complaints rather than monitoring or scrutinizing the published articles. However, almost every journalist and editor agreed that news ombudsman committee could help enhance trust and credibility. It might also reduce the number of lawsuits filed against the press, if the news ombudsmen could accelerate any solution or remedies. Five factors affect news ombudsmen's functions: media organization policy, communication with related stakeholders, communication to the public, individual ombudsman himself/herself, and clearly stated guideline.

A. Media Organization Policy

Having an ombudsman committee requires consent from the media owners and executives, since its function is related to every section, from editorial staff to personnel department (if the case ends up with the decision to fire news staff or cut off their salary). Almost every newspaper owner and executive, when setting up the ombudsman, approved the committee encouraged by the Press Council. Some even had an owner's representative in the committee. The more the media owner's policy emphasized on enhancing the trust and credibility of the media, the more intense were the functions of the ombudsman committee. This might be found to differ in state media, such as the national radio and television stations, owned by the government's Public Relations Department.

B. Communication with Related Stakeholders

The functions of an ombudsman committee will have effects upon the editorial staff, either more or less. Regular internal meetings between the ombudsman committee and the editors/editorial staff is a must. A book, The Modern News Ombudsman, written by J. Dvorkin, pointed out that the relationship between ombudsmen and editors/editorial staff was a critical factor challenging this self-regulation mechanism. Dvorkin (2011: 41) explained that sometimes a talk with the editors or an investigation of a particular case should be kept secret, because some editorial staff might feel that they got unfair complaints [13]. An experience from Japan, Asahi Shimbun, should be a lesson learned for Thai news ombudsman.

C. Communication to the Public

Publicity of the establishment of news ombudsman committees should be another concerned factor. This should not only be the role of the Press Council but also every media organization. The secretary general of the Thai Press Council stated that public relations or promoting this self-regulation mechanism should be carried out, since it declared to the public that we, the media, do something to enhance journalism professional standards and media accountability.

D. Individual Ombudsman Himself/herself

Thai news ombudsman tend to work in a form of committee, similar to the Japanese. It usually consists of both journalism professionals and academia. There is no doubt in terms of understanding the nature of news rooms (i.e. deadline pressure) and journalistic professionalism. Their roles of monitoring and scrutinizing the journalistic job unavoidably lead to conflict between them and the editorial staff. An executive editor noted that if the committee works based on objectivity, fairness and upholding journalistic standards, this will help enhance the media image. In turn, the editorial staff should be aware of fairness, balance and accuracy in their reports.

E. Clearly Stated Guideline

The roles and scope of the ombudsman committee's authority should be clearly spelled out. A code of conduct/code of ethics might not be enough. The guidelines for receiving complaints, monitoring, scrutinizing or investigating a complaint case, the remedies process, as well as punishment should be clarified. It should not merely be for the committee but also for the editors/editorial staff.

Jeffrey Dvorkin (2011: p.13), the director of the Organization of News Ombudsman, concluded that news ombudsman should work autonomously. Even though the media in each country have their own news

room cultures, the news ombudsman task aims toward media self-regulation, journalistic independence, and a willingness to engage the public in the journalistic process [14].

CONCLUSION AND SUGGESTION

News ombudsman committee is an intention from media professions to create a self-regulation mechanism. Though it is not a rule or law, most Thai newspapers were encouraged by the Press Council to establish this committee in order to enhance journalistic professional practices. However, only a few of this type of committee are found in broadcasting media, even though the broadcasting regulator, NBTC, required every free digital broadcasting channel to set it up. Thailand applied the Japanese model of a news ombudsman committee, but it does not consist of as many ombudsmen as in the Japanese one. The committee's task is mainly receiving complaints rather than monitoring or scrutinizing the editorial staff.

Five factors affecting the news ombudsman included the media organization policy, relationship between news ombudsman and the editors/editorial staff, communication to the public, news ombudsman himself/herself, as well as a clearly stated guidelines. In Thailand, economic factor was not a concern since the committee members were only invited for certain meetings from time to time. They were not hired full-time, in contrast to the U.S. news ombudsmen, who are hired to work full time.

Some suggestions are as follow:

1) Media organizations that have already set up a news ombudsman committee should publish clearly stated guidelines for this self-regulation mechanism, and communicate it widely among the staff. Regular meetings and training about this new mechanism will reduce conflicts between the staff and the committee.

2) Journalism professional associations such as Thai Press Council and Thai Journalists Association should concurrently hold conferences to exchange international experiences of news ombudsmen from other countries with Thai media professionals.

3) Future research could focus on the international experiences of news ombudsmen in other countries. Also, ThaiPBS is an interesting case to explore in depth, since it has applied the news ombudsman committee for almost a decade. Knowledge and perspectives of media editorial staff on this self-regulation mechanism could be another alternative research topic.

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[14] Ibid., p.13

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