

# We're not pro-press, pro-complainants - press ombudsman

 Bylssa Sikiti da Silva

28 Nov 2008

South African press ombudsman Joe Thloloe has shrugged off criticism levelled against his office by various quarters, including the ruling African National Congress (ANC), and reiterated that the Press Council is not a court of law.

SA media self-regulation has come under a lot of criticism lately from various organisations and people who have accused the press ombudsman of favouritism and protecting the media and their owners. Some have described his rulings 'inadequate' and 'inappropriate', going as far as to suggest that the system should be replaced by something 'more relevant'.

However, in an interview with Bizcommunity.com this week, Thloloe said: "The people who make these allegations have not been able to sustain them. We are neither pro-press, nor pro-complainants and we test whether there has been a breach against the Press Code and then rule on that."

## **"Allegations are not true"**

"A casual visit [to] our website will show that the allegations are not true. Most of the rulings published on the website are in favour of complainants and the sanctions imposed have been the toughest on the press since this system was established 10 years ago."

But the ANC is still not convinced that the system, which it regards as 'toothless' and 'inadequate' after losing its case against *City Press*, is working properly. Spokeswoman Jessie Duarte told a gathering of journalists in October 2008 that her party does not trust the system of media self-regulation because its rulings seem to favour the media.

Thloloe squarely rejected that accusation, saying: "When the ombudsman's panel initially ruled against *City Press*, Ms Duarte was delighted. Our ruling showed that we were unhappy with the way the newspaper treated unnamed sources.

"But as in all systems of justice, the decisions of my office can and have been taken on appeal by both the publications and the complainants. Judge Zulman and his panel arrived at a different decision.

## **"Believe in justice"**

"If you believe in justice, you accept decisions that don't go your way with the same grace as you accept those that go your way. That is the measure of our democracy and system of justice. You don't believe it is justice only when it goes your

way.”

Some critics said that the ombudsman's rulings are not ‘tough enough’ to discipline the media, which they accuse of taking advantage of freedom of expression to embarrass the government and boost circulations.

Thloloe said, “We have been accused of not imposing fines and not awarding damages to complainants. We don't see ourselves taking the place of the courts, so right from the beginning we tell complainants that they may use our system if they want to clear their names and set the record straight quickly and at no cost.

“If they want punitive damages, they should go to the route of the courts.”

He stressed that the new structure, which came into force on 1 August 2007, allows for greater public participation in the system.

For more information, go to [www.presscouncil.org.za](http://www.presscouncil.org.za).

## ABOUT ISSA SIKITI DA SILVA

Issa Sikiti da Silva is a winner of the 2010 SADC Media Awards (print category). He freelances for various media outlets, local and foreign, and has travelled extensively across Africa. His work has been published both in French and English. He used to contribute to Bizcommunity.com as a senior news writer.

- Angola tense as journalists, protesting youth targeted by government - 1 Nov 2011
- Managing promotional resources: are TV broadcasters getting it right? - 1 Nov 2011
- Mbalula vs the media: privacy, dignity vs public interest - 31 Oct 2011
- Multinillion-rand Motorola Razr marketing campaign - 28 Oct 2011
- [Tech4Africa] Power failures, low bandwidth? Try cloud computing - 28 Oct 2011

[View my profile and articles...](#)

For more, visit: <https://www.bizcommunity.com>