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Press Complaints Commission of Sri Lanka

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Website: www.pccsl.lk

E-mail: pccsl@pccsl.lk

Tel: +94 115 353635

Fax: +94 115 335500

UK PCC takes centre stage at Press Councils Conference

The recent difficulties faced by the Press Complaints Commission (PCC) of the United Kingdom became the centre of debate at the recently concluded 14th Alliance of Independent Press Councils of Europe (AIPCE) Conference in Antwerp, Belgium. U.K.'s PCC, which has promoted the practice of self-regulation since 1991, has been experiencing a most difficult time following the recent scandal involving News of the World journalists hacking into telephone conversations.

Lord Justice Levenson, as chairman of a two-party inquiry into the role of the press and the police in the phone hacking scandal, is expected to submit his report to the government shortly. The inquiry was launched in July 2011.

Following the U.K. PCC's role in handling 'contentious, high profile cases, which has led critics of the U.K. PCC to believe that self-regulation has failed, has also prompted the question as to whether the PCC should be replaced by a statutory body.

Self-regulation can only be full and conclusive if all the subscribers to self-regulation participate in the process of resolving complaints between members of the public and newspapers. If this system does not work in a practical sense, it could lead to the replacement of the PCC with a statutory body that has far more teeth to punish publishers and editors by way of fines and/or imprisonment. The press must therefore realize the importance of self-regulation and give it its fullest support.

The argument is that if a Code of Professional Practice that is drawn up by editors and journalists exists, it should be adhered to as a safe way of staying out of trouble. That is why journalists and their editors are always advised to practice the Code and avoid getting into an embarrassing situation.

A Press Complaints Commission should not be looked upon as a regulator or a body imposing control of self-regulation but rather a friend who lends a hand to settle a dispute be-

tween two parties.

So the challenge for self-regulation is to exhibit its prowess in resolving complaints rather than give room to a statutory authority. It is also on the part of the editors to co-operate with the system, thus making the two-way street or contract complete.

The Press Complaints Commission of Sri Lanka (PCCSL) was set up on Oct. 15, 2003 under the Arbitration Act No: 11 of 1995 and uses conciliation, mediation and arbitration as means to resolve disputes. The PCCSL also has the authority to enforce a ruling given by the Dispute Resolution Council of the PCCSL to enforce such ruling through the High Court.



A group photograph of all the participants at the 14th Annual Conference of the Alliance of Independent Press Councils of Europe (AIPCE) which was held in Elzenveld Conference Centre Antwerp, Belgium from October 17 to 19, 2012.

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Media Should Avoid Sensationalising Stories

The Press Complaints Commission of Sri Lanka (PCCSL) was represented by its CEO at two meetings held in Goa and Antwerp in October. The following is a report.

Ninth Annual South Asia Media Summit

Theme: Government curbing media? Regulation vs self-regulation of media in South Asia.

Organisers: Organised by Friedrich Ebert Stiftung (FES) India and the International Centre Goa (ICG).

Venue: International Centre, Goa.

Date: October 14-16, 2012.

Participants were from India, Pakistan, Afghanistan, Bhutan, Myanmar and Sri Lanka. In all, there were 48 participants.

The Governor of Goa HE Shri Bharat Vir Wanchoo delivering the inaugural address summed up the difference between regulation and control. He quoted the Press Council of India Chairman Shri Markandey Katju saying that the crucial difference between regulation and control is that in control there is no freedom while in regulation there is freedom but subjected to reasonable restrictions in the public interest. Regulation or self-regulation and control are two sides of the same coin.

Although the Indian Constitution guarantees the freedom of speech and expression, it is subject to reasonable restrictions in the interest of sovereignty and integrity of India, State security, public order, decency and morality or in relation to defamation or incitement to an offence.

Although freedom of speech and expression is not an absolute right in India, according to the judicial system in India, aggrieved parties can seek from court the postponement of the publication of court hearings, and such a decision would be taken on a case-by-case basis. This is important to strike a balance between freedom of speech and a fair trial for the proper administration of justice.

Therefore, better gate-keeping in the newsroom is important to prevent the Court from making such enforcements. A degree of regulation will certainly help avoid control. Journalists must be taught to report in a socially responsible manner, thereby regulating their actions based on a Code of Professional Practice.

The desire of the media to make stories sensational at times due to market forces should be avoided even though it may be tempting at times.

Fourteenth Annual Conference of Alliance of Independent Press Councils of Europe (AIPCE)

Organisers: Flemish Council for Journalists, Port of Antwerp and Province of Antwerp.

Venue: Elzenveld Conference Centre, Antwerp, Belgium.

Date: October 17-19, 2012.

Participants were from Armenia, Austria, Azerbaijan, Belgium, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Finland, France, Germany, Hungary, Ireland,



The Ninth Annual South Asia Media Summit - 2012 'Government curbing media? Regulation vs self regulation of media in South Asia' was held recently at the International Centre, Goa, India. Here the participants with His Excellency Shri. Bharat Vir Wanchoo, Governor of Goa (seated 4th from left) and Ms. Nandini Sahai, Director International Centre, Goa and Hon. Director Media Information and Communication Centre of India (seated 3rd from left).

Israel, Korea, Kosovo, Kyrgystan, Moldova, Montenegro, Netherlands, New Zealand, Norway, Pakistan, Russia, Serbia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, UNESCO, Council of Europe and OSCE. In all, there were 74 participants representing 34 countries and three organisations.

Unlike the Goa meeting, the AIPCE was an annual get-together, and each country presented a short report of their activities conducted in the past year. Representatives discussed difficulties/obstacles they encountered and how their organizations dealt with those challenges. The process of self-regulation in their respective countries and its effectiveness were also discussed. Other issues discussed included funding and how organizations dealt with government interference.

Self-regulation is best practiced voluntarily rather than enforced upon a media industry.

The use of conciliation, mediation and arbitration as means of resolving complaints is a good practice as opposed to legal measures of enforcement, fine and/or imprisonment. Punishing journalists/publishers must be avoided.

When published stories in newspapers, magazines or online newspapers violate the Code of Professional Practice, the following guidelines are to be observed:

- Corrections should be carried at the first available opportunity in order to make the media a credible source of information. This should be done immediately since the mistake is also reported, published and propagated online.
- Photographs depicting motor accident victims and victims of violent acts should not be published until the family or next of kin has an opportunity to learn about the incident first.
- Corrections should be carried giving the same prominence to the earlier story in which the error occurred.
- Ethics in newsrooms as well as in reporting is an important issue. Journalists should promote ethics and set an example to the people through their behavior and stories.
- Journalists are guardians of the people and thus should keep in mind what is of public interest.
- Law and ethics overlap, what is unlawful need necessary not be ethical.
- Breach of ethics by journalists is a serious offence.
- Comment, conjecture, rumour, fact and opinion is not the business of journalists, leave it to the reader to decide.
- A person's privacy is very important, especially in the use of photographs that reveals a person's identify.



The 14th Annual Conference of the Alliance of Independent Press Councils of Europe (AIPCE) was held in Elzenveld Conference Centre Antwerp, Belgium from October 17 to 19, 2012. Here from left Mr. John Horgan, Ireland, Mr. Robert Pinker, UK, Ms. Ljiljana Zurovac, Bosnia-Herzegovina, Mr. Flip Voets, Chairman 14th AIPCE Conference, Belgium, Ms. Sanne Godthaab Olesen, Denmark, Mr. Aidan White from Ethical Journalism Network, M. Wim Criel, Belgium.

Conclusion

The experience of other commissions and councils in handling complaints was of much interest although there is a thin divide between complaints received in Sri Lanka and abroad.

The AIPCE members who received the monthly eNewsletter issued by the PCCSL were very appreciative of it and said that it carried useful information. They commended the work of the PCCSL and wished that its strength grows as it celebrates the 10th anniversary in October next year. A number of participants expressed interest in visiting Sri Lanka and extended support at any International Conference so planned.

Israel won the bid to host the 15th Annual AIPCE meet next year. The date is yet to be fixed. Sri Lanka also offered to hold an AIPCE meeting, however, distance and cost are issues.

The AIPCE does not have a formal secretariat or mailing address. Since the membership is growing to countries and organizations outside of Europe, it was decided to have two lists, one for European countries and a second list for countries outside of Europe.

It was also observed that the British PCC is going through a transitional phase, and it was stated that the organization would await the outcome of the final report on its activities before considering whether to downsize or close due to the recent phone-hacking scandal involving the News of the World.

The PCCSL's pioneering work in self-regulation, as opposed to control, in the South Asian region helped put it on the map among most countries that promote self-regulation.

UK PCC rules: Local newspaper published excessive details about a method of suicide

The UK Press Complaints Commission has ruled that an article in the Wiltshire Gazette and Herald breached Clause 5 ii (Intrusion into grief or shock) of the Editors' Code of Practice by including "excessive detail" about a method of suicide in an inquest report about the death of a man who had taken his own life.

The article contained the name of the gas the man had used, information about how it had been obtained, and the manner in which it had been inhaled. Although in its adjudication the Commission made clear that newspapers are entitled to report inquests in cases of suicide, it emphasised that they must take care to limit the level of detail, in accordance with the terms of Clause 5 of the Editors' Code.

Charlotte Dewar, Head of Complaints and Pre-publication Services commented: "The Code's requirement to avoid excessive detail exists to minimise the risk of imitative suicides. The Commission works hard to promote responsible reporting of suicide. Today's ruling is a reminder of the high standard the Commission expects of editors in this area". (Courtesy: UK PCC – November 01, 2012)

The Sri Lanka Code of Professional Practice has this to say about reporting suicide cases: GENERAL REPORTING and WRITING Clause 06 sub clause 6.6: 'When reporting suicide, care should be taken not to give excessive detail of the method used.'

Sixth Annual All-Island Essay Competition

The Press Complaints Commission of Sri Lanka (PCCSL), in conjunction with the Ministry of Education, will be conducting its sixth Annual All Island Essay Competition in November this year.

The All Island Essay Competition is organized every year to bring about greater awareness of the PCCSL, importance of self-regulation and the Code of Professional Practice.

The essay competition is open to all students of grades 12 and 13, studying in Sinhala, Tamil or English medium. In order to be eligible, students must have either won, or placed second or third in the Creative Writing Competition conducted by the Ministry of Education.

Topics are decided by the PCCSL after which letters will be sent to those students informing them of the five possible topics. Each student must then write a

750-word essay in the presence of a teacher or the principal and forward it to the PCCSL with the certification of the teacher or principal that it is the student's own work. The essay will also have to be written in 1 ½ hours. A copy of the student's letter along with a letter from the Ministry of Education will be sent to the principal.

All essays will be evaluated by an independent panel of judges, consisting of editors and Ministry of Education officials.

The winners, and the students who place second and third will be informed by mail to attend a prize-giving ceremony organised by the PCCSL. There will be three prizes for each language. The first place winner will receive a cash prize of Rs. 5,000 while the second and third place winners will receive Rs. 4,000 and Rs. 3,000 respectively. The winning students and the accompanying parent, teacher or principal will be paid a traveling honorarium to attend the awards ceremony.

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