

The news ombudsman: Lightning rod or watchdog?



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ABSTRACT: The findings of this research project on news ombudsmen are mainly based on an overview of the Dutch situation, two surveys (in 2008 and 2011) completed by members of the international Organization of News Ombudsmen, an analysis of more than 400 columns of three Dutch ombudsmen and an analyses of about three hundred comments on the columns. Key questions were: do the ombudsmen and readers' representatives have an independent position, a statute or a weekly column? What issues are mostly being complained about? What are the main topics of their columns? Do they have the opportunity to adopt an independent and critical stand towards the editorial staff?

KEYWORDS: journalism, journalism ethics, media quality, news ombudsman, readers' representative



INTRODUCTION: MEDIA QUALITY AND SELF-REFLECTION

De Volkskrant, a Dutch quality paper, in 1997 appointed its first ombudsman. The key sentence in his independency statute was, that "his formal tasks consist of improving the journalistic quality and internal self-reflection" (de Haan, 2012, p. 103). But what is to be understood by media quality and how is to be determined whether and when quality and self-reflection have been improved?

While research on media quality has a long history in Nordic countries and the United States, the debate in Dutch media industry as well as in Dutch journalism research is a more recent development (Evers, 1996). This certainly has to do with opposition from the journalistic profession itself, which was and is afraid of further government regulation and therefore of infringing upon professional autonomy.

In foreign scholarly research and literature on journalism quality, five main approaches are discernable (Rosengren et al., 1991):

1. Descriptive quality: quality of journalism is higher as media reality is more in accordance with the facts which it refers to. If one compares the way several media outlets report on the same event, one can determine what outlet does the best by comparing the reported facts and the facts themselves. In this approach, objectivity, truthfulness, impartiality, balance, factuality and neutrality are key values.

2. Sender's perceptions of quality: to what degree are the goals of publisher and newsroom realized? If a news outlet has a certain mission, the question is justified as to what degree this goal is reached. Does the newspaper want to be a mouthpiece for a societal group or a certain ideology? If so, how far does it succeed? How does a journalist consider his task: is he an idealist striving for convincing people? Does he want to raise awareness? Or just deliver information without further intentions? Does he succeed in his intentions?

3. Receiver's perceptions of quality: how do readers, listeners or viewers assess the quality of their paper or broadcaster when it comes to reliability and comprehensibility? And what do authorities, politicians, researchers or opinion leaders think about that? This approach can be examined by conducting audience surveys.

4. Professional quality: to what degree are the norms and standards of craftsmanship met by a single journalist or an editorial staff? What about the professional skills and competences? Does a newsroom work in accordance with professional standards and responsibilities?

5. Source quality: what about the expertise, openness and reliability of sources? Rennen (2000) proposed this fifth approach. The better sources are when it comes to expertise and reliability, the better quality can be accomplished by journalists.

Ultimately, effective professional self-regulation and a tradition of self-reflection and self-criticism remains the best guarantee against too much external interference. In all notions of quality management, much room has been given for vocational training, education and professionalization and for establishing professional standards in ethics codes.

Terms like "media quality" and "quality of journalism" just in the last few years have played an important role in the Netherlands in public debates and scholarly reflection on the way mass media work (Buijs, 2008). Why ever now? One reason certainly is the increasing commercialization in the media industry. This development raises lamentations on what is being called the threatened media quality: infotainment and quick and superficial reports. A term like threatened quality is mainly being heard in debates on public service broadcasting and the newspapers, especially in an era of cuts and mergers. If elements of professional ethics threaten to get into a corner, this is considered an infringement of an essential quality aspect.

Another reason might be the uncertainty of the role and task of professional journalists. What should be the role of "traditional journalism" in an environment of bloggers and citizen journalists? This development raises the question of quality guarantees. What are the points differentiating "real journalism" from all these other phenomena?

Besides, there are some developments going on in society: criticism of institutions and the need for transparency and accountability. In trade and industry more emphasis is being laid on sustainability, corporate social responsibility and integrity management.

The debate on quality monitoring is, hesitatingly indeed, going on within the professional group of journalism as well. This late period has the advantage of the large amount of experience discovered in other parts of the industry. The media can take advantage of that. And they have to, as journalism has a quality problem as well. This problem can be summarized in terms like commercialization, infotainment, lack of depth and a declining public trust in the media. Then reliability and credibility of media and journalism come up for discussion. Which quality criteria are to be applied?

If we are dealing with quality issues, professional ethics inevitably is at stake, as the concept of “journalistic quality” contains a number of normative notions as well: reliability, credibility, accuracy and responsibility.

The key mission of journalism in a democratic society is to be a strong counterbalance to government and justice. That means discovering and investigating facts and developments, illustrating backgrounds and denouncing abuses and dishonest practices. It also means being the mouthpiece of all groups, movements and opinions in society. Moreover, journalists do have the task to provide their audience with well-documented and well-considered comments upon what is going on in the public domain.

In this article we examine the role and value of the news ombudsmen. What role do they play in fostering self-reflection and self-criticism of the editorial staff and responsiveness towards the audience? To what degree and how do they contribute to self-regulation of the media involved?

NEWS OMBUDSMAN

Worldwide, several patterns of news ombudsmen do exist. Sweden has its national press ombudsman. Newsrooms all over the world do have their own ombudsman, mostly originating from the staff itself. Some outlets appoint an outsider as ombudsman for a restricted term (mostly three or four years) to save his independent position. The Swiss newspaper *Neue Luzerner Zeitung* appointed a readership council operating as an ombudsman, dealing with complaints and critically monitoring the articles of the paper (Evers, 1999).

The Swedish press ombudsman started his activities in 1969 because of criticism of the press council (Pressens Opinionsnämnd). This council was seen as prosecutor and judge at the same time. To meet these objections, the ombudsman must operate as an intermediary between press and the public. He deals with complaints and tries to take a decision as far as possible. Failing this, or in cases of severe complaints, he submits the complaint to the press council. He is appointed for a three-year term and paid by the newspaper publishers. Over the years, he earned a moral authority; his decisions undeniably radiate a standardizing effect (Jigenius, 1997).

The phenomenon of the newsroom ombudsman dates from the United States where in the sixties some newspapers (e.g. *The Washington Post*) appointed a senior journalist to meet the credibility crisis between press and public opinion. This ombudsman has a double task: he deals with complaints of readers and points out the editorial staff to moral standards in journalism and editorial guidelines in particular. He is also competent to examine on his own initiative practices and reports for quality reasons (Russ-Mohl, 1994).

A large part of ombudsmen all over the world are members of ONO, the Organization of News Ombudsmen.¹ In its mission statement, the role of a news ombudsman is described as an explainer, investigator and mediator. He “explains the roles and obligations of journalism to the public,” investigates “complaints about news reporting on behalf of members of the public” and “acts as a mediator between the expectations of the public and the responsibilities of journalists.” Doing so, he “is dedicated to protecting and enhancing the quality of journalism by encouraging respectful and truthful discourse about journalism’s practices and purposes” and promoting transparency within the newsroom.²

In the Netherlands, the appointment of a national press ombudsman has regularly been argued during recent decades. According to the advocates, he should get the appointment to deal with complaints by mediating between complainer and media. Besides, he should submit complaints to the Press Council. Such an ombudsman has not yet been appointed so far. During the last few years, the debates on this issue arose again, especially in critical journalism studies (RMO, 2003; VMC, 2007).

A newspaper ombudsman who deals with complaints, made his entry in the Netherlands in the beginning of the nineties. He mediates between complainer and editorial staff and acts as a readers’ advocate in the newsroom. Here, it is an important issue how large his freedom is and how independently he can act from the editor-in-chief. Essentially, ombudsmen must operate independently from the editorial staff and editor-in-chief as an addressee for complaints. They are protected by their statute. Every week, they have their column in the newspaper and on the website, in which they pay attention to complaints or issues of a more general interest.

Why do the media take the decision to appoint an ombudsman? An important reason is the need to improve the interaction with the audience and the communication between staff and readers, listeners or viewers. Furthermore, they want to improve the quality and accuracy of papers or programs. Moreover, the editorial staff

¹ Organization of News Ombudsmen. Retrieved February 28, 2012, from <http://newsombudsmen.org/>.

² Organization of News Ombudsmen. Mission. Retrieved February 28, 2012, from <http://newsombudsmen.org/about/mission>.

wants to take its audience seriously and wishes to get a more profound insight in questions and critics of the public. What do people think about the paper or the program? What kind of considerations do they have? This motive played an important role in several newsrooms after severe mergers. Here, the ombudsman mainly acts as a lightning rod.

Another, connected reason is the opinion that in the media industry, as in other parts of trade and industry, a good complaints procedure is a contribution to quality improvement. Many readers and viewers consider the newsroom to be an impenetrable bastion. Accepting criticism and taking seriously the replies and questions of readers does not belong to the strongest characteristics of journalism. The ombudsman is an easily attainable contact point for readers and viewers.

Moreover, reporters might be more accurate if they know that there is someone who criticizes mistakes. Besides, there is the expectation that an ombudsman, taking seriously the complaints of the readers and adequately reacting to criticism, might restrain a reader or viewer from lodging a complaint with the press council or law-court.

What are his main tasks? First of all, he has to create a good relationship with the readers or viewers. The bond with their audience is one of the most precious assets of mass media. The ombudsman answers questions and explains to the readers, how and why things went wrong and apologizes on behalf of the paper or broadcaster.

Then, he is a critic in the newsroom. He passes comments and complaints to the editorial staff and investigates conflicts by discussing with parties. He gives notice of his experiences in internal memoranda. It is obvious that the content of his notices mainly contains appointments and conclusions journalists can take to heart.

A third task is writing a weekly column in his newspaper or on the website. Here, he discusses important complaints or comments sent by readers or viewers. If it is obvious that many people have got excited about certain events, he explains the editorial policy. He might use this opportunity to explain to his readers or viewers the rules and standards of making a daily newspaper or current affairs program. He can go along with current debates in media and journalism, especially in the field of journalism ethics.

In a reflection on the ombudsman, the issue of independence is very important: how much room for maneuver does he have to go his own way? Mostly, an ombudsman is being appointed by the management of paper or broadcaster. He is only accountable to them. His freedom of movement and independence are laid down in a verbal agreement or in a statute.

Such a statute holds the regulation, among others, that editorial staff members have to deliver to the ombudsman all information he needs to do his job properly. Nobody is authorized to give assignments to him and nobody may change something in his column. The manager and editor-in-chief do not need to follow the recommendations of the ombudsman, but if they do not, they must argue why they do not agree with the criticism of the ombudsman.

NEWS OMBUDSMEN RESEARCH PROJECT

The Media Ombudsman Netherlands Foundation (MON),³ initiator of this research project, started its activities in 2006. An important goal is stimulating and facilitating research. Meanwhile, two projects have been conducted. One of them is the news ombudsman research we are dealing with in this article. MON and Fontys University, School of Journalism completed the research subsidized by the Netherlands Press Fund⁴ in 2008 (Evers et al., 2010).

These were the main questions:

1. What different kinds of ombudsmen are to be found in the Netherlands and elsewhere?
2. How do they work?
3. What about the influence they have on editorial processes and products?
3. To what degree can they operate independently and critically towards their editorial staff?
4. How do they judge journalistic processes and products?

ONO Survey on the international situation

As a part of the Dutch project, 18 participants of the ONO annual conference in Stockholm were surveyed in 2008. Key questions were: Where do ombudsmen work?; What backgrounds do they have?; Do they have a statute and/or a column?; What about their competences?; What issues are mostly being complained about?; What are the main topics of their columns?

These results have been combined with data collected by Tarmu Tammerk, ombudsman at the Estonian Public Broadcasting Company. He permitted us to use his findings for comparison with ours. His survey was completed by 24 ONO members. He presented his overview at the annual ONO conference in Montreal in 2010.⁵

At least six categories of ombudsmen and readers' representatives could be found in the surveys:

- the independent ombudsman with his own statute,
- the ombudsman without a statute,
- the ombudsman doing this job as a sideline,
- the ombudsman charged with PR and marketing duties as well,
- the lawyer charged with the duty as an ombudsman to prevent insurance claims in legal cases and Press Council complaints,

³ Stichting Media Ombudsman Netherlands. Retrieved February 28, 2012, from <http://www.media-ombudsman.nl/homepage>.

⁴ Netherlands Press Fund. Retrieved February 28, 2012, from <http://www.stimuleringsfondspers.nl/Internet/English/page.aspx/999>.

⁵ The author wants to thank Tarmu Tammerk for his kind permission to use his findings.

- the ombudsman charged with the duty to watch and, if needed, to censor the journalistic content.

This means that the division made by van Dalen and Deuze in their research (2006), is too much a simplification of reality. They found two types: on the one hand an ombudsman acting as an in-house critic, testing processes and products by ethics codes or guidelines, and on the other hand a readers' representative above all doing PR and marketing tasks.

According to the ONO surveys, there is a variety in function designation as well: ombudsman, readers' editor, viewers' editor, public editor, readers' representative, advisor on journalism ethics, readers' advocate and community advocate.

Almost always, the decision to appoint an ombudsman has been taken by management and/or chief editor. Sometimes, the appointment was a consequence of a governmental decision in a media law.

Almost every ombudsman has a background in journalism. Only one or two are lawyers.

A majority have been working in a company where they later on have been appointed ombudsman. Formerly, they were active as members of the editorial staff or management team. In our conclusions, we discuss the question whether it is preferable or not to appoint an ombudsman coming from the editorial staff itself or from outside.

Almost every ombudsman in the survey is doing his job as an ombudsman more or less full time.

A majority have their own statute always laying down an independent position.

In almost all cases, the editorial staff obliged to cooperate with the ombudsman's investigations. Four respondents mention the editorial staff as having to adopt the ombudsman's conclusions. One respondent says the editorial staff have to publish a correction if the ombudsman wants them to do so.

The ombudsmen deal mainly with complaints of readers, viewers or listeners, mediating between public and editorial staff, monitoring reports with regard to fairness and accuracy and advising the editorial staff.

Members of the public complain mostly about bias, minor omissions and (factual) mistakes, inaccuracy, unfair conduct, lack of balance, language issues and bad taste. Ombudsmen also deal with cases on commercial pressure (e.g., mix-ups of editorial and commercial content), protection of sources, newsgathering methods and the right of reply. In few countries, political issues are at stake, especially dealing with reporting and commenting in election times. Some newspaper ombudsmen receive complaints on the sensationalism course of the paper, while their colleagues in broadcasting organizations are being confronted with complaints on violence and programs considered unsuitable for children.

In the 2011 survey, the ombudsmen notice a shift from the print product to digital content. The public reacts more immediately and points out mistakes and untrue assertions. An increasing pressure on editorial staff to delete or make any-

mous published materials is observed in some countries. Most ombudsmen try to stick to the principle of no changes in archives.

Almost all ombudsmen do have a spoken or written column or a website or a blog. Ten ombudsmen with a column at their disposal, write it weekly. Two ombudsmen write their columns irregularly, two others monthly, two others (both on the internet) daily or almost daily.

All respondents say they decide themselves the subjects of their columns.

Almost all respondents write their columns on the basis of complaints and their own observations. Just one respondent says he writes his columns only based on his own observations.

Four ombudsmen beforehand offer their column to the chief editor for inspection.

They do so just to inform him. One of these respondents observed that this procedure actually is not a good one. Another ombudsman beforehand announces the subject of his column, so that the editor-in-chief can explain about it if desired. Three ombudsmen do not offer their column beforehand for inspection, eight do so sometimes. If columns are being offered to the editor-in-chief, it is just for his information.

The following issues are mostly being raised in the columns: pictures, ethical problems, language, standards in online journalism and balanced reporting.

All ombudsmen consider themselves to act independently from the editor-in-chief or staff. Kenney and Ozkan (2011) found in their research, that independence is considered to be the cornerstone of ombudsmanship. That is one of the reasons why they made a plea for an outsider ombudsman. They propose “establishing a synergistic system that begins with a citizen’s or community media council appointing an independent outsider as ethics examiner and directing community and foundation funding for operating expenses.” Such a council would “strive, through the ethics examiner’s reasoned critique, to improve media quality and increase public trust rather than bash the media.”

This ombudsmanship must “be practiced at arm’s length from news organizations; the ombudsman should operate independently of any media company but also in concert with a media council.” The proposed ombudsman, the authors call him “ethics examiner,” would:

- inform the public of what to expect from media and what media expects;
- do so in a way that is beneficial; and
- do so in a way that will build public trust in journalism.”

Overview of ombudsmen and readers’ representatives in the Netherlands

We also made an overview of the Dutch situation in 2008 and an update in 2011: how many and what newspapers and broadcasters do have an ombudsman or a readers’ representative? Do they have an independent position, a statute and a weekly column? In 2008, all of them (12) were interviewed by phone.

Then, 200 columns of *De Volkskrant* ombudsman (Dutch quality paper), 170 columns of the readers' representative of the (former) local daily *Het Rotterdams Dagblad* and 57 columns of the (former) NOS ombudsman (Dutch Public Service Broadcasting Organization) were analyzed.

The inventory showed a great variety. Over the last two decades, a number of national and local newspapers in the Netherlands have appointed their ombudsman or readers' representative. In 2008, there were two newspaper ombudsmen in the Netherlands, one working for a national daily and one for a local one. Then, there were eight readers' representatives, all working for local dailies.

The public service broadcasting organizations in the Netherlands stand out in these developments. In 2007, an ombudsman had been appointed by the Dutch Broadcasting Foundation, but after three years, this position was already dissolved. At the moment, an expert commission advises the board on fundamental issues of journalism responsibility.⁶

In 2008, three persons (two ombudsmen and a readers' representative) had an independency statute. In six cases, the independence was laid down not in a statute, but in a contract or job description. In spite of all agreements, two readers' representatives were not presumed to speak or write critically about their newspaper as the editor-in-chief did not appreciate a critical stand! Curiously, they seem to accept this situation.

Seven of them had a weekly column. Two persons were full time active as an ombudsman. The others had a lot of activities such as editorial tasks, supervision of trainees or public relations activities. A variety of practice and task perception was to be seen: journalistic watchdogs and marketing and PR officers, explainers of editorial procedures and organizers of readers' events. Readers' representatives just reacted to readers' questions and explained what went wrong and how it could happen.

Over the last few years, a tendency has been observable in Dutch newspaper companies of linking the ombudsman or reader's representative position to the marketing department. So his tasks were more related to subscriber service and public relations than to what essentially should be his main task: to act as an in-house critic and a watchdog, testing processes and products by ethics codes or guidelines.

An even more recent tendency is the removal of the position of ombudsman or reader's representative because of the bad financial-economic status of the newspaper; this development particularly occurs in local papers (Evers, 2010). In 2011, most of the ombudsmen and readers' representatives have disappeared as a result of retrenchments. Nowadays, two national dailies (*De Volkskrant* and *NRC Handelsblad*) and one local one (*Dagblad de Limburger*) have their ombudsman. Just one local daily does have its readers' representative. In the area of public and private broadcasting an ombudsman nowadays is an unknown phenomenon. So, in the

⁶ *Villamedia Magazine*, February 11, 2012.

Netherlands the news ombudsman belongs to a dwindling species, while (according to ONO) worldwide the number of these quality watchdogs is increasing, e.g. in Germany.⁷

Analysis of ombudsmen's columns

A great variety can be seen in the columns of the Dutch ombudsmen of *De Volkskrant*⁸ and NOS⁹ and the readers' representative of *Het Rotterdams Dagblad*.

a) *Het Rotterdams Dagblad*

Till 2005, *Het Rotterdams Dagblad* was an independent local daily with a circulation of about 90,000 copies in the area of the city of Rotterdam. Now, this newspaper has merged into the national daily *Het Algemeen Dagblad*.

The readers' representative of *Rotterdams Dagblad* first of all was a senior journalist who reacted to questions and remarks of the public and explained the editorial practice, standards and rules. In his opinion explaining the daily newspaper practice must be the most important part of his job. Readers come forward rather with questions than complaints. This readers' representative, in charge between 2001 and 2005, was the only one in the Netherlands not originating from the editorial staff of the paper itself. During the period 2001–2005 he wrote 170 columns, as a rule published in the Saturday paper. From 1 April 2005 onward, his column was featured once every two weeks.

Table 1. The main topics in the *Het Rotterdams Dagblad* readers' representative columns

Topic	percent
Mistakes and inaccuracy	17
Explanation of editorial policy	11
Language issues	8
Pictures	8
Privacy protection	6

Source: Evers et al. (2010).

Frequently, readers appear to be annoyed by little things: missing words, sentences or paragraphs. Incorrect headlines always provoke angry reactions from readers, especially when a headline claims the opposite of what the article itself contends. Language errors also constitute a constant source of irritation, e.g. misspelled plurals or the manner in which the newspaper deals with plural designa-

⁷ Initiative Qualität. Retrieved February 28, 2012, from <http://www.initiative-qualitaet.de/?id=1349>.

⁸ *De Volkskrant* Ombudsman. Retrieved February 28, 2012, from <http://www.vkblog.nl/blog/770>.

⁹ NOS Ombudsman. Retrieved February 28, 2012, from <http://weblogs.nos.nl/ombudsman/>.

tions such as Taliban, US and UN. Some readers have made a habit of sending a weekly letter to the readers' editor reporting the mistakes they have discovered in the newspaper that week.

In many of his columns, the readers' editor gives attention to explaining editorial policy, e.g. the correction policy or policy concerning publishing pictures or using press releases.

Language issues were addressed in 14 columns, albeit not always in response to complaints about the newspaper, but related to comments from language purists. Journalists should choose their words with care. Wording can be stigmatizing or plainly incorrect: terrorists, Muslims, fundamentalists, extreme Muslims, radical Islamites, zealots and so on. Journalists must also refrain from using adjectives such as malicious, cruel, savage and barbaric, as they are opinionated rather than informative.

The theme of news photos was also discussed in 14 columns. The readers' editor justified the selection of photos of victims jumping or falling down from one of the towers of the WTC in New York, because these images showed the agony of thousands of innocent victims in a manner that is more penetrating than any other picture and had nothing to do with sensationalism. Another photo that kicked up a dust storm was the harsh news photo of Pim Fortuyn's lifeless body, lying in a car park in the Hilversum Media Park, the centre of Dutch broadcasting companies. Fortuyn was a right-wing populist politician, murdered just before parliament elections in 2002. Several newspapers featured a large-size copy of that picture on their front page, but *Het Rotterdams Dagblad* had decided against it. Its front page contained a few photos reflecting grief and mourning; the picture of the dead Fortuyn was shown, in black and white, on page five.

Eleven columns were devoted to the theme of privacy protection of suspects, criminals and victims: initials, black bars across the eyes, full first and last names or not? What about victims of crimes? In Dutch journalism, there is a common standard of not mentioning names and details, except in case of a public figure.

It is remarkable that the subjects of 55% of the columns (93 out of 170) originate from observations of the readers' representative himself and not, though not directly, from the readers.

In 20% of the columns, the readers' representative was critical of editorial processes or products, mostly in very reserved terms; he considered himself to be more an explainer than a critic as he was the first readers' representative of this local newspaper, which means that he got a lot of questions about the making of a paper.

b) *De Volkskrant*

De Volkskrant is a national daily, an Amsterdam-based left wing quality paper with a circulation of about 265,000 copies. Its (former) ombudsman, in charge from 2004

till 2011, was more a reviewer than an explainer. He was the watchdog of the editorial staff. His formal tasks consist of improving the journalistic quality and internal self-reflection. Guiding principle was his opinion that the editorial staff of his paper has to maintain high quality standards and has the duty to put in practice these standards every day.

He commenced his duties as ombudsman to *De Volkskrant* on 1 January 2004. Once a week, he wrote a column published in the Saturday paper. He wrote between 45 and 50 columns a year. His two hundredth column was published in April 2008.

Table 2. The main topics in the *De Volkskrant* ombudsman columns

Topic	percent
Standards in online journalism	8.5
Privacy protection	8
“Being in moderation”	7.5
Language	6.5
Headlines	6.5

Source: Evers et al. (2010).

The issue of “standards in online journalism” was under discussion in a wide variety of aspects: do the same rules and standards apply to the newspapers website than to the paper itself? How far can a newspaper go in including hyperlinks that are confronting, harmful, degrading or just plain wrong? Are the privacy rules on the website governed by other norms than the printed paper? What about anonymous comments and what to do with articles that have ended up in the paper’s digital archives and years later have become a burden to those involved, because they turn up at the top of the list when Googled?

Another topic that frequently was at stake, is the privacy protection of suspects, criminals, victims and others: what about the papers carefulness? Should the printed paper adopt the same privacy standards that prevail on the Internet? The ombudsman speaks of a “diabolic dilemma”: is it necessary to remove every comment mentioning the full names? What if someone’s comment includes a link to a site providing everything in full detail?

The ombudsman several times dealt with what he called “being in moderation”: did the newspaper not pay too much attention to some topics? Was the combination of front page photo and text not too excessive in some cases? Why provide someone like Geert Wilders (a Dutch right-wing populist politician) with a stage for blazing about his reprehensible, undemocratic and racist views?

Language was a rewarding subject as well. A lot of columns dealt with style and spelling mistakes, suggestive use of words and vulgarization of language. What about terms like murder, elimination and execution? Are those synonyms? And

what about the word “Muslim” in journalistic items, as suspects of a bomb attack were not arrested for being “Muslims” but for being members of a terrorist organization?

Frequently, readers complained, that headlines do not fit in with the content: suggestive or sometimes even incorrect headlines.

Looking back over the full amount of 200 columns, the most striking finding is, that about half the columns (49%) was based on observations of the ombudsman himself, either because he got annoyed at reports in the paper, or because he explained the editorial policy or he paid attention to important events and developments in the media. The other half of the columns dealt with readers’ replies. Sometimes a reader posed a question and the ombudsman answered, sometimes readers criticized and complained because of an editorial choice and the ombudsman reacted giving his opinion on the case.

In half of all columns (52.5%), the ombudsman himself criticized, sometimes very severely, the editorial staff or the editor-in-chief in particular. In the other half, he agreed with the staff or he explained the papers policy.

Almost half dealt with journalism ethics topics, e.g. privacy protection, the use of anonymous sources and the standards at the papers website.

Sometimes he used his column to clarify his own position: what about his independence? Did the editorial staff really take notice of his criticism or is it rather a matter of window dressing to have an ombudsman in or near the newsroom? These questions, very often posed by just a few comments writers on the website, urged the ombudsman to publicly reflect on his position in the newsroom and to stress his independent position.

The ombudsman paid much attention in his columns to maintaining his own standards by the editorial staff. In his opinion the paper must hold on to its norms and standards as that is what the readers want it to do. That is exactly why they have subscribed to this particular paper. He regularly stressed, especially in his latest columns, the need for transparency and accountability, to explain editorial choices and approaches to the public. That is why he several times invited the editor-in-chief and journalists-with-managerial-responsibilities to give chapter and verse in his column.

De Haan (2012, p. 121), after having been in *De Volkskrant* newsroom for a three-month participating research, struck a negative balance: “there are formal moments when members of the staff can get together to evaluate, provide feedback and reflect on each other’s performance. While formally implemented, in practice there is a rather closed debate culture, in which the professional accountability instruments, whether of a formal or informal character, are not incorporated in the organisation.”

It seems to be important that the ombudsmen have their columns published not only in the newspaper but on the website as well, as the possibility for the audience to post a comment and start a debate is much greater online. It is a different kind of

interaction online than offline. We did an exploring analysis of almost three hundred posts, reacting to twenty columns online. These replies can be divided into the following categories:

- agreement or disagreement with the ombudsman and his blog,
- further questions to the ombudsman,
- reply of the ombudsman to posts,
- criticism of the editorial staff,
- criticism of the persons in the news,
- replies of audience to each other,
- general reflections on life,
- detached catchwords.

It is striking that in some comments, explicitly insisted on is a reply of the ombudsman himself. The comment writers loudly wonder if the ombudsman takes it seriously and what happens with their criticism.

The general impression after reading the comments is that they hardly contribute to a serious debate. After some comments, the discussion shifts off topic, but to each other and to score off and trip up the others. The level of the debate is visibly sinking as the number of comments grows. Therefore, it is not to be wondered at, that the chief editor of *De Volkskrant* stopped the possibility of reacting online to the columns of the new ombudsman who started in March, 2011.

c) NOS

The NOS, Dutch Broadcasting Foundation, is the biggest and most important broadcaster of news, current affairs and sports programs on radio and television in the Netherlands, 24 hours a day. The NOS website is one of the most favoured news sites in the Netherlands.

The board of directors of this broadcasting organization had a varied intention with appointing an ombudsman. His presence should lead to more transparency and accountability, to quality improvement of the reports, to a better access for the public and to an increasing awareness of the producers for what is going on in society.

He dealt with complaints and wrote a column, where he commented on journalistic processes and products. He tested this by the broadcasting code of ethics. Besides, he paid attention to general topics in media and journalism.

Formally, the ombudsman was independent. His findings and conclusions were submitted to the editorial staff. His columns were sent as a newsletter to the staff rooms and discussed in the staff meetings. Sometimes, he attended the meetings himself to discuss his columns. The columns have been published on the website. He had a weekly talk on public radio.

The ombudsman was in charge in the period 2007–2008. He wrote about sixty columns (Table 3).

Table 3. The main topics in the NOS ombudsman columns

Topic	percent
Neutrality versus values judgments	19
The newsworthiness	18
Privacy issues	11
Completeness and double check	9
Accountability	7

Source: Evers et al. (2010).

One of the two themes most frequently discussed in the columns of the NOS ombudsman is the neutrality of the NOS. According to viewers, a public service broadcaster should take a neutral stand and be as objective as possible. In this category, three sub-groups can be distinguished: the alleged leftism of the NOS, its pro-Israel leanings and other, less systematic position adopted by the NOS.

The general feeling that the NOS is leftist, remains no more than a feeling, the ombudsman said. He stated that such reproaches lack a factual underpinning. Even if the NOS were leftist, it would be difficult to prove, precisely because perception and justifying oneself play such a key role.

Just like “neutrality” the issue of “newsworthiness” ensues directly from the aim of the NOS to be “the primary source of information” for the Dutch. This aim charges it with the responsibility of assessing the newsworthiness of what happens. Unsurprisingly, a substantial number of columns deal with the question of how much attention the NOS should focus on various subjects. Some accuse the NOS of an “Ajax overkill” or too much attention for Geert Wilders. On the other hand, others feel that some topics (e.g. Paralympics) receive too little attention.

How does the NOS deal with the privacy of suspects who are prominent in the news? The ombudsman refers to the rule that mentioning someone’s full name is acceptable if the person involved seeks publicity of his own accord. Apart from that, he argues in favor of reticence. In addition, people in vulnerable positions sometimes need to be protected from themselves.

Compared with his colleagues, this public broadcasting ombudsman took up a middle position. He regularly was critical to processes and products, but explained how these processes were going as well. Besides, he offered the opportunity to editorial staff to give their explanations.

After having analyzed his columns, it is our conclusion that this ombudsman was a critical one, who contributed to transparency and accountability. He had the courage to pass negative judgments, well-documented with arguments and observations.

In our opinion he referred too little to the ethics code. Making references to other media, he was too little explicit and sometimes he applied double standards: on the one hand he stressed that broadcasters have to keep to their own standards, on the other hand he used other media as an apology: they did it the same way...

CONCLUSIONS

We discovered several patterns of news ombudsmen worldwide: the national press ombudsman, the readership council and a variety of newsroom ombudsmen. In the Netherlands, there is no national press ombudsman in spite of debates from time to time. Nowadays, two national dailies and one local one have their ombudsman. Just one local daily does have its readers' representative. In the area of public and private broadcasting an ombudsman nowadays is an unknown phenomenon.

Summarizing the findings of the three ombudsman's columns, we see on the one hand the in-house critic who acts as a quality watchdog, testing processes and products by ethics codes or guidelines (*De Volkskrant* and NOS), and on the other the senior journalist who reacts to the public and explains the daily practice of an editorial staff (*Het Rotterdams Dagblad*).

While the number of news ombudsmen is increasing worldwide, this in-house critic belongs to a dwindling species in countries like the United States and the Netherlands because of two main reasons: a view that newsrooms do not need ombudsmen anymore in an era of bloggers and interactive possibilities and a view that an ombudsman is too expensive. According to some chief editors, quality improvements can better be achieved by appointing senior journalists to editorial functions: for quality improvement an excellent reporter is better than an excellent ombudsman!

In my opinion it would be rather short-sighted to dissolve the ombudsman in times of economic decline. Just then, one should appoint a quality watchdog in the newsroom. If newspapers and broadcasting stations want to distinguish themselves for quality, an ombudsman would be a very appropriate means of doing it.

Our research shows that there are more than enough findings to draw the conclusion of a news ombudsman, in an outstanding way contributing to self-reflection, self-criticism and responsiveness. His activities and criticism are very important for the credibility of the media to a large public.

For news media, willing to be transparent and accountable to the public, an ombudsman is one of the most appropriate instruments. Though not as a result of our research, it seems to be plausible that media gain reliability and soundness, if the editorial policies are being made accessible for the public.

As soon as journalists know that there is someone critically and publicly reviewing their daily practice in his column and seriously dealing with complaints of the public on journalistic products, this unmistakably radiates a quality impetus.

As far as a shift in task description of an ombudsman is concerned, namely from editorial critic to PR officer or even legal advisor, this development does not help self-regulation in journalism. The self-regulatory effect of an ombudsman mainly exists in publishing well-documented judgments on journalistic practice.

Recent decline in the number of ombudsmen is also in flat contradiction with developments in modern societies making an appeal to the media to be more accountable and more transparent on journalistic processes, products and strategies.

Flip Voets, ombudsman and secretary-general of the Flemish Press Council in Belgium, proposes every newsroom to appoint an ombudsman as a front-line officer, dealing with matters of style, journalistic approach, report angles, correction and so on, while the press council then operates as a council of appeal, formulating the principles of responsible quality journalism for all media and dealing with complaints (Flemish Press Council, 7).

The degree of independence of an ombudsman and its effect for his position is hard to conclude, even in cases where this has been laid down in a statute. Many ombudsmen, the ones with a statute included, notice to be accountable to the editor-in-chief or publisher.

According to our research, the really independent ombudsman, critically judging journalistic practice, belongs to a small minority.

Furthermore, it is very important whether the ombudsman only deals with feedback from the public or exposes certain issues and mistakes as well. Does he pay attention to important subjects as report selection and editorial approaches or does he restrict himself to language mistakes and other tiny faults? Does he grit his teeth or just scratch the surface? To my opinion, a good ombudsman explains, but is first and foremost someone who cautions and criticizes.

Ideally, starting from the ONO mission statement, scholarly literature and our own research, the ombudsman is a person who is dealing appropriately and adequately and in a fully independent way with complaints of the public, who critically and publicly judge the quality and presentation of the journalistic products of the media involved, who tests his judgments and opinions by the ethics standards of the media involved and who places his judgments in the context of relevant topics of journalistic ethics.

To eliminate existing skepticism in society, the ombudsman must have the opportunity to operate fully independently. He does not form part of the editorial staff. He compares journalistic products with the ethics standards and communicates his analyses and judgments to the public. That means that ethics standards must be public and accessible for readers and viewers, e.g. through the website. These standards must be made explicit in the ombudsman's publications. His procedure must be transparent as well as his statute must be public.¹⁰

Is it preferable to appoint an ombudsman coming from the editorial staff itself or from outside? There is an advantage in being a former editor-in-chief or staff member. They know the editorial culture. An outsider may have a greater possibility to act in a fully independent way, certainly if he or she is appointed for a lim-

¹⁰ Statuten NRC Ombudsman. Retrieved February 28, 2012, from http://weblogs.nrc.nl/ombudsman/files/2010/10/statuten_ombudsman_303850a.pdf.

ited period. That is why it is not an ideal situation to have a chief editor, weekly publishing a letter himself or dealing with questions from the audience.¹¹ On the one hand his recommendations are more significant for the editorial policy than the ones of an ombudsman or readers' representative can be, and on the other there is no independent critical review.

This independence is especially very important. That is why, in my opinion, an experienced outsider, appointed for a limited term, is preferable to a staff member. Of course, an ombudsman must be well-informed about journalistic practice and the existing standards. He must also enjoy the confidence of staff and chief editor. To be reliable for the audience, he must take a critical stand to the staff. That means that he permanently reviews processes and products to the journalistic and ethical principles and standards.

This is the way people with their complaints and remarks have easy access to a person who takes great pains over it, and who challenges the staff to give chapter and verse. This is an important contribution to the transparency and self-regulation of journalism.

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¹¹ Willem Schoonen, Te harde woorden over Ephimenco. Retrieved February 28, 2012, from <http://www.trouw.nl/tr/nl/4328/Opinie/article/detail/3201506/2012/02/26/Te-harde-woorden-over-Ephimenco.dhtml>.

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