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THE MEDIA OMBUDSMAN

Promoting Media Professionalism and Accountability Today.....Tomorrow

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The Voluntary Media Council of Zimbabwe (VMCZ) is a media-self regulatory body established by Zimbabwean journalists to deal with media complaints from the public and promote media professionalism and accountability through administering a Code of Conduct.

“Effective self-regulation is the best system of promoting high standards in the media”- Declaration of Principles on Freedom of Expression in Africa (2002).

Dear reader

The democratic world is moving away from state control of the media to self-regulation and Zimbabwe cannot afford to remain behind while everyone else is moving forward.

The concept of media self-regulation is based on the notion that media must develop systems and structures of responsibility and accountability that respond to society's concerns on its operations and also opens the industry to direct criticism and positive contribution to its operations by the public. Media set-up voluntary professional and ethical guidelines they commit to abide by and by so doing accept their share of responsibility while protecting editorial independence.

Zimbabwe has had its own share of media repression through state control by state apparatus such as the Media and Information Commission that has been replaced by the recently appointed Zimbabwe Media Commission. Realising the oppressive nature of statutory regulation, journalists formed the Voluntary Media Council of Zimbabwe (VMCZ) that is mandated to receive complaints from members of the public and promote media ethics, professionalism and accountability.

While the Voluntary Media Council of Zimbabwe joins other media stakeholders and Zimbabweans at large in welcoming the establishment of ZMC, pessimism is still widespread. The Commission faces a hurdle of political haggling as a result of the selection process that was partially a compromise of candidates between Zanu Pf and the two MDC formations. Partisan interests may take precedence over interests of the profession at the ZMC.

Many governments in Africa still consider self-regulation of the media to be undesirable because the same governments like to keep their grip on the media and remain custodians of information. Statutory regulation in Zimbabwe has so far been more effective in muzzling media operations and exercise of the right to freedom of expression by the media.

On the contrary, media self-regulation is premised on the principles of freedom of expression being the cornerstone of democracy, the desire for free flow of information and ideas and access to information. The VMCZ is also aware of the need to create a widely accessible public complaints system for the print and electronic journalism in Zimbabwe to guarantee accountability while promoting professionalism in the industry.

Welcome to the first edition of **The Media Ombudsman**, the e-newsletter for the VMCZ. **The Media Ombudsman** is a tool for our advocacy and awareness raising campaign as we push for effective and viable media self-regulation in Zimbabwe.

The Media Ombudsman highlights our work in satisfactorily resolving complaints when they arise and our activities to promote professionalism, ethics and accountability in the media.

"Arresting a journalist just because she has written something you dislike is wrong." - **President Robert Mugabe.**

"Indeed, I do not support the argument that due to the potential power of the media, the state has obligation to ensure it is properly regulated. The media, like so many other professions, should operate largely on the basis of self regulation." – **Prime Minister Morgan Tsvangirai.**

A case for media self-regulation

Why self-regulation?

- A state-regulated press is not a free press – it looks bad and criminal laws create martyrs. Use of criminal laws against the media has led to self censorship as journalists fear arrests, harassments and closure of newspapers as happened with *The Daily News*, *Daily News on Sunday*, *The Tribune* and *The Weekly*.
- The system offered by VMCZ is free of charge and easy, quick and effective as it takes weeks, not months or years for complaints to be resolved. Civil laws work only for the rich, the powerful or the criminal and corrupt not the ordinary citizen who cannot afford to pay and does not want to be dragged through the courts.

Complaints adjudication

The Voluntary Media Council of Zimbabwe (VMCZ) offers an informal complaints mechanism that is fast, effective and free of charge. The Council however received only seven complaints in 2009 due to lack of visibility amongst the public and civic society. The small number of complaints is also attributable to the fact that Zimbabweans are new to the concept of media self-regulation and fear victimisation. The limited number of media outlets in Zimbabwe has also contributed to the contracted number of complaints.

The year 2010 has seen a marked improvement in the number of complaints received and growing confidence of the Council among civic society and members of the public.

Below are summaries of selected complaints received;

1. COPAC vs The Standard

The VMCZ facilitated dialogue between the Constitutional Parliamentary Committee on the Constitution (COPAC) and The Standard newspaper after the latter published a story on 31 January, 2010 alleging irregular financial transactions at COPAC. The constitutional committee had issued a statement dismissing the allegations before VMCZ facilitated a meeting them and the editor of the newspaper where a consensus was reached.

***Ethics and professional conduct:**
When compiling reports media practitioners must check their facts and the editors and publishers of newspapers and other media must take proper care not to publish inaccurate material.*

2. Roger Stringer vs Financial Gazette

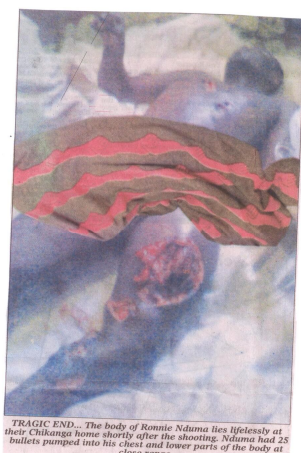
The Financial Gazette published a letter to the editor on 28 January, 2010 that Mr. Stringer felt attempted to undermine the credibility of Mt Pleasant residents' objections to Dr Munyaradzi Kereke's application to turn a residential property into a medical centre. The letter alleged Mr. and Mrs. Stringer had made false submissions to their neighbours.

The Financial Gazette issued an apology on 18 February, 2010 that Mr. Stringer said was unacceptable. The case is going before the Media Complaints Committee for arbitration.

***Ethics and professional conduct:**
Before publishing a story of alleged wrongdoing, all reasonable steps must be taken to ascertain the response of the alleged wrongdoer to the allegations. Any response from that person must be published.*

“We believe that the VMCZ has the capacity to regulate the work of journalists; deal with the enforcement of the code of conduct by handling media complaints and also accreditation of journalists.” - **Swedish Ambassador to Zimbabwe, Stan Rylander.**

3. Public vs The Manica Post



The Manica Post of 26 March, 2010 published a front page picture of a man who had been shot dead by a brother-in-law. Members of the public from Harare and Mutare who called VMCZ described the picture as traumatising and said it should not have been used as it is too detailed.

The editor of The Manica Post acknowledged receipt of the concern from VMCZ and directly from members of the public against the use of the picture. He undertook to apologise to the readership of The Manica Post and be more considerate in future.

Ethics and professional conduct:

Newspapers should be aware that the use of photographs, especially when accompanied by dramatic graphics, can cause considerable distress to families and readers.

4. Women's Coalition vs The Standard

The Standard of 21 March 2010 carried a picture depicting the Queen of England as pregnant under the headline 'Zuma's UK trip successful'.

The Women's Coalition complained that the picture is degrading not only the Queen of England but all women especially mothers. The picture is also described in the complaint as praising Zuma's virility at the expense of the Queen and women.

The Standard explained that they had taken the picture from the internet and apologised to its readers in their following edition of 28 March 2010.



Ethics and professional conduct:

If a media institution discovers that it has published an erroneous report that has caused harm to the reputation of a person or institution reputation, it must publish an apology promptly and with due prominence.

5. Women's Coalition vs Population Services International - Zimbabwe

The Women's Coalition, a gender lobby group, raised a complaint against bill board adverts put up by Population Services International – Zimbabwe (PSI) in their campaign against multiple sexual partners. Women's Coalition expressed concern that the adverts portrayed women as the main culprits for the spreading of HIV/AIDS.

PSI convened a stakeholders' meeting where they explained how they had come up with the messages. They subsequently pulled down the offending adverts and promised to engage stakeholders before rolling out their next advertising campaign.

It is within your rights to complain against bad journalism!!!

Complaints mechanism

How to complain?

If you have a complaint against a newspaper, magazine, periodical, radio or television you are encouraged first take it up with the Editor or other representative of the media outlet concerned. If the complaint is not resolved to your satisfaction you may refer it to VMCZ.

Complainants are required to fill-in a Complaint Form and submit it to the Executive Director of VMCZ with accompanying documents or evidence of the offending news item. Representation by a legal practitioner may only be accepted where the legal practitioner is representing the interests of a minor who is alleging breach/es of the Code of Conduct. Complaints must be launched within 30 days of publication or broadcast. The Media Complaints Committee will not hear complaints that are before a court of law.

Decisions of the Committee are final, provided that a party to the proceedings will be entitled to lodge a complaint with the VMCZ about any material procedural unfairness that adversely affected the adjudication and the Council will adjudicate on this complaint.

When to complain?

- ❖ When you are just not happy with media content in terms of professionalism, ethics or objectivity;
- ❖ When you are materially affected by journalism that violates the Code of Conduct of the VMCZ;
- ❖ When there is discrimination or denigratory references to people's race, colour, gender, ethnicity religion, sexual orientation and preferences, physical or mental disability or illness or age;
- ❖ When the media has published or broadcast material which amounts to hate speech.

What is the result?

- ❖ A right to reply;
- ❖ An apology;
- ❖ A correction or
- ❖ A retraction

Functions of Media Complaints Committee

The Media Complaints Committee (MCC) is guided by a desire to promote and protect a set of common professional standards of conduct for media practitioners, media institutions, media owners and publishers, and to provide all parties, including members of the public, with an adequate opportunity to obtain redress where there has been a violation of the Code.

The MCC will consider a complaint by any individual and/or institution concerning possible breach/es of the Code by any media practitioner, media institution, media owner or publisher in Zimbabwe, whether a member of the Voluntary Media Council of Zimbabwe or not.

Note: The public media; ZBC, The Herald, The Manica Post, Sunday News, Sunday Mail and The Chronicle; are not members of VMCZ and have no obligation to respond to our concerns. However, in the spirit of inclusivity these media will be monitored and complaints against them are welcome. Efforts to get them to sign-up as members are continuing.

All private newspapers, community newspapers, external radio stations broadcasting into Zimbabwe and almost 200 individual journalists are members of VMCZ.

FEATURE:

"ethical and professional journalism can exist when there is proper regulation of the media."

Journalists are oxygen for democracy

By Staff



Mogens Schmidt speaking at the FAJ Congress

Journalists are the oxygen to sustain a true democracy and governments should ensure an enabling environment for the exercise of freedom of expression by its citizens according to the UNESCO Deputy Assistant Director-General for Communication and Information, Mogens Schmidt.

Schmidt, who was speaking at the Federation of African Journalists (FAJ) Congress in Harare, implored on states to put in place and respect regulatory frameworks that promote professional journalism. He said "ethical and professional journalism can exist when there is proper regulation of the media."

The call for proper regulation of media as alluded to by Schmidt is contained in the Banjul Declaration of Principles on Freedom of Expression in Africa that was also discussed by various panellists at the congress including Commissioner Pansy Tlakula from the African Commission on Human and People's Rights (ACHPR). The declaration states that "effective self-regulation is the best system of promoting high standards in the media."

The government of Zimbabwe recently appointed the Zimbabwe Media Commission (ZMC), a statutory media regulatory body, despite calls by journalists for media self-regulation through the Voluntary Media Council of Zimbabwe (VMCZ) which they set-up in 2007. The Zimbabwe government continues to disregard calls for self-regulation by journalists and insists on controlling the media through statutory means.

Statutory regulation of the media in Zimbabwe through the now disbanded Media and Information Commission resulted in the closure of four newspapers and victimisation of journalists from the private press through the Access to Information and Protection of Privacy Act (AIPPA). The ZMC has inherited the repressive AIPPA to inform its mandate and operations.



Commissioner Pansy Tlakula (left) speaking on freedom of expression at the FAJ Congress
Chaka Boshia, the Zimbabwe Union of Journalists (ZUJ) Coordinator insists ZMC is only transitional and should make way for self-regulation at its expiration.

"ZMC is only transitional; we don't hope to have it forever. Self-regulation is the route to take as we liberalise the media at the end of the ZMC era," said Boshia.

The FAJ Congress was hosted by the Zimbabwe Union of Journalists under the theme, *Stronger Unions, Decent work and Quality Journalism in Africa*.



DO YOU HAVE A
COMPLAINT
AGAINST ANY
NEWSPAPER, TV
OR RADIO STATION
IN ZIMBABWE?

CONTACT **VMCZ** TO
COMPLAIN

Phone: 04 – 708035 / 708417

Email: info@vmcz.co.zw

Training plan - 2010

In our efforts to improve the standards of journalism in Zimbabwe, VMCZ runs a training programme for mid-career journalists and media managers. Emphasis is placed on raising standards of professionalism, ethics and accountability.

Various strategies for improving the ethical and professional conduct of journalists and media personnel will be used. These will be based on training needs assessment to establish knowledge gaps. Training will be undertaken including training of trainers of media workers, in-house training for editorial staff, workshops and seminars on thematic issues and mentoring programmes for young journalists.

Below is the draft training plan scheduled for this year;

	Course	Target group	Provisional dates	Content
1	Media Management	Senior managers, publishers and editors	June and August	Management techniques equipping managers with tools to handle the day-to-day running of the newsroom/media company.
2	Photojournalism	Photojournalists	May	Telling the story using photos and improving creativity.
3	Sub-editing & page design	Sub-editors and editors working on page design.	April	Page layout + copy editing + editing photos.
4	Doing ethics	Journalism trainers and college lecturers.	September	Doing ethics training module.
5	Transitional Justice	Print and electronic journalists	May or June	Reporting on transition.
6	Doing ethics	Reporters	September – October	Doing ethics training module.
7	Back to basics	Reporters and desk heads	June and August	Revisiting news values, cultivating credible sources, research and interviewing skills, news writing values.

Calls for applications to attend the above training courses will be made for courses that will not be held in-house.

Boldwill's fearless and passion for telling the Zimbabwean story as it is, was met by beatings and arrests by state security agents.

The Profile

The Media Ombudsman will be carrying profiles of VMCZ members or stakeholders who have excelled or made strides in the promoting media professionalism; freedom of the press or are climbing up the ladder of success.

This edition profiles **Boldwill Hungwe** who is currently studying Media Management with the Sol Plaatje Institute for Media Leadership, Rhodes University-South Africa.



Boldwill is an award winning Zimbabwean journalist whose career span runs for about seven years in the industry. His work in the journalism fraternity came amid some of the greatest challenges in the media sector in Zimbabwe, where repressive media laws still draw international headlines. Working for Zimbabwe's two private weeklies (The Zimbabwe Independent and its sister paper The Standard) as a photojournalist, Hungwe, whose fearless and passion for telling the Zimbabwean story as it is, was met by beatings and arrests by state security agents.

Awards won:

Zimbabwe Photojournalist of the year for 2006 and 2007,
Social Cohesion award, Gwanza Press Photo award,
World Press Photo award (second prize in the Spot category in 2008).

Boldwill has exhibited his pictures at the World Press Photo awards in Amsterdam, the International Media Conference in Berlin, Germany, at the National Union of Journalists in Liverpool, Britain and at the Global Media Forum in Bonn, Germany.

Besides photojournalism, Boldwill has undertaken mid-career courses in Digital journalism at IJ in Berlin, Germany and Rhodes University, South Africa. He is now a trainer in Digital Journalism not only for journalists but also church leaders in Zimbabwe.

Membership

- Boldwill is a member of the Leadership Gallery- a communion of outstanding achievers run by the Germany Capacity Building, InWent;
- Board member for Media Institute of Southern Africa, Zimbabwe Chapter.

For more information and inquiries about VMCZ and/or **The Media Ombudsman** please contact us on the following details. We also welcome contributions from readers and other stakeholders.

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