



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

HOW TO LAY A COMPLAINT: QUESTIONS AND ANSWERS

Who can lay a complaint against the media?

Anybody who feels aggrieved by something that was published or broadcast, as long as they have a direct interest in the issue. Complainants have to waive their right to go to court about the matter afterwards.

Can a complaint be laid against any member of the media?

It can be laid against any newspaper, radio or television station in Namibia. It is not the individual journalist who will be called to account, but the media house itself, usually through the editor.

What kinds of things can lead to a complaint?

Any breach of the Code of Ethics for the Namibian Media. This would include cases of inaccuracy, unfairness, invasion of privacy and many others. Please have a look at the Code of Ethics for full details.

How should a complaint be laid?

By writing to the Media Ombudsman, no later than 14 days after a story was published or broadcast. The Ombudsman may accept a later complaint if there is a good reason. He may ask the complainant to supply a copy of the offending item.

What will the Media Ombudsman do with the complaint?

He will first try to mediate between the complainant and the media house, to find a mutually acceptable solution. This could involve the publication of a reply, an apology, retraction, follow-up article or similar.

And if this fails?

The Ombudsman will either decide the issue on the basis of the written documents, or hold a hearing together with two members of the Media Complaints Committee panel.

What happens to the media house if they are found to be in the wrong?

They can be cautioned or reprimanded, told to publish or broadcast an apology, a retraction, explanation or the reply of the complainant. Other media will also publish the decision of the Media Ombudsman and the Complaints Committee.

What happens if either side is unhappy with the ruling?

They can appeal to the Media Appeals Chairperson, who will have the final say.



MEDIA OMBUDSMAN NAMIBIA

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INTRODUCING THE MEDIA OMBUDSMAN

“To argue that a member of the public who feels aggrieved by the practices of the media should be content only with seeking redress in the courts is, with respect, unfair. As we all know, litigation is a costly and long drawn out affair. Sometimes all an offended person wants is recognition that he or she has been wronged, with an appropriate apology...”

Honourable Judge President, Justice Petrus Damaseb

In Namibia and other democratic countries, newspapers, radio, TV and other media bear a heavy responsibility to keep the public informed. It is a vital function: the Namibian Constitution encourages people to participate actively in public life, but they can only do so if they know what is going on. Precisely because the media play such an important role in creating a healthy democracy, media freedom is a crucial right, and is guaranteed in the country’s constitution.

In playing this role, journalists are expected to behave professionally and with integrity. Through the Editors’ Forum of Namibian (EFN), the country’s media practitioners have now agreed on a Code of Ethics that is in line with international standards.

The code binds the media to observe the basic principles of good journalistic practice: accuracy, fairness, independence, protection of sources, consideration for the right to privacy and others.

The EFN has also created a mechanism to hear and decide on complaints against the media. The office of the Media Ombudsman

has been set up, together with a Media Complaints Committee and Appeals Chairperson. This is a self-regulatory system: in line with international best practice, the Namibian media take accountability seriously.

People who use the complaints procedure cannot approach the courts afterwards. Experience has shown that a self-regulation system is more accessible, quicker and cheaper than the courts in dealing with complaints. As it involves editors being judged by their peers, it also has a particularly strong authority.

The office of Namibia’s Media Ombudsman is now open for business. The public is encouraged to make use of the complaints procedures to ensure that Namibia remains a stable democracy!



Mr Clement Daniels,
Media Ombudsman

“An effective press council can ensure that the reader is not harmed by unscrupulous or shoddy journalistic practices. The council can give the reader a platform from which to air his or her grievances against biased, inaccurate or inadequate reporting on matters of legitimate public interest.”

Minister of Information and Communications Technology, Joel Kaapanda

THE MEDIA COMPLAINTS COMMITTEE

The Media Complaints Committee assists the Ombudsman in deciding on whether or not a media house has contravened the Code of Ethics for the Media. This committee is nominated by the public and appointed by the Editors’ Forum of Namibia. It consists of an equal number of public and media panellists.

The current Media Complaints Committee consists of the following persons:

- 1. Public panellists:** Mr Bankie Foster Bankie, Rev Maria Kapere, Ms Monica Koep and Dr Shekutaamba Nambala
- 2. Media panellists:** Mr. André Henning, Mr. Bob Kandetu, Mr. Alexactus Kaure and Mr. Jonathan Sam.

“All members of the media have a duty to maintain the highest professional and ethical standards. This Code sets the benchmark for these standards. It both protects the rights of the individual and upholds the public’s right to know. The editors, publishers, broadcasters and their staff shall uphold the Bill of Rights and Fundamental Freedoms as contained in Chapter III of the Namibian Constitution in the exercise of their duties and function.”

Code of Ethics

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The Editors’ Forum of Namibia (EFN) supports the self-regulatory mechanism as administered by the Media Ombudsman.