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Keynote Remarks

By

K S Venkateswaran
Perhaps I should begin by addressing the basic question of what it is that mean by the term "media monitors". Essentially, of course, we mean institutions that perform the role of monitors or watchdogs of the mass media. But that begs the question: whom do these bodies monitor, and whom are these watchdogs supposed to protect?

In their most commonly known role, for example as press councils or broadcasting standards councils, media monitors are bodies set up to perform a self-regulating role, that is to say, they are usually professional bodies established by members of media organisations to ensure that their particular branch of the mass media perform according to certain accepted standards of professional competence and ethics. Quite often, the main reason why such bodies are set up is to stave off statutory or other forms of more binding regulation by government.

The pressure of government ordained regulation may come from several quarters: in the case of countries that do not have a democratic tradition, they may come from an unelected ruling elite; elsewhere, they may come from forums or lobbies that are, at least in theory, more representative of the people as a whole, e.g. parliament. Whatever the source, the threat of mandatory regulation is almost always one that the media take seriously. Hence the willingness to embrace self-regulation.

But media monitors can and do serve another important constituency, namely, the users or customers of the media concerned. In the case of newspapers, for example, an effective press council can ensure that the reader is not short-changed by unscrupulous or shoddy journalistic practices. The council can give him a forum in which to ventilate his grievances against biased, inaccurate or

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inadequate reporting on matters of legitimate public interest. Or, in the case of the electronic media, a good broadcasting standards council can ensure that the general public is protected from the evils of gratuitous violence or sex on radio and television without having to put up with the alternative of statutory censorship.

No less importantly, media monitors can act as effective alternative forums for disputes resolution, especially between the various institutional actors that make up the mass media. For instance, if the government or a public sector undertaking discriminates unfairly against certain newspapers in the allocation of advertising or newsprint, then it might be possible for a press council which commands general all-round confidence to offer a quicker and cheaper remedy to the parties concerned than a court of law. Similarly, if there is evidence of the emergence of monopolistic tendencies or of unfair trade practices to the public detriment, then an appropriate media watchdog might be able to resolve the matter more efficaciously than a formalistic legal forum. It is assumed here, of course, that the mechanism in question is not itself burdened with unduly complex or cumbersome rules of procedure.

Finally, media monitors can perform a valuable service in aiding research into the performance of particular segments of the mass media which, in turn, can be helpful in ensuring a smooth and orderly growth of the media as a whole. More usually, the monitors have contributed substantially to the evolution of workable codes of conduct for the various media. This, as I mentioned earlier, has been seen to be more acceptable to media professionals than statutory or other forms of state-ordained regulation.

There is, obviously, a wide range of media watchdogs in existence. Most of them are either set up under government auspices or have some form of official sanction, e.g. the press councils and broadcasting standards councils in most countries, though this need not always be the case: in England, for instance, the Press Council (until 1991) and the Press Complaints Commission (thereafter) have been entirely independently run and funded. Some watchdog mechanisms may be set up by private parties, e.g. Ombudsmen appointed to oversee the application of professional and ethical standards in individual newspapers. Similarly, a trade association may decide to set up a mechanism to entertain and adjudicate complaints received from the general public against its members, e.g. advertising standards councils established by the advertising industry in many countries. Occasionally, an ad hoc body
may be created, either by the government or by private parties, e.g. a press commission or a royal commission or a committee of inquiry, to look into and report on particular aspects of the functioning of the media. Finally, there may be mechanisms created by private entities outside the media, e.g. consumer guidance societies, which have a limited mandate to monitor and/or investigate certain forms of media coverage, e.g. advertisements for goods and services.

The independence of a watchdog, especially from the individuals or bodies that it has competence to monitor, is obviously one of the most telling indicators of its effectiveness. It is not, however, always easy to ascertain the extent of that independence. Often, despite an assurance of formal independence in the documents establishing the watchdog, there may be strings attached when it comes to its day-to-day functioning. Conversely, a monitor whose constitution may not give the appearance of complete independence, say from government, may still be quite free from interference in practice. There are, nevertheless, one or two tests that can be applied in this area. How is the watchdog financed, for instance? Where it is state-funded, does it have to depend on the generosity of the government in power, or can it draw its budget by appropriation from the Consolidated Fund of the country concerned? Alternatively, is it dependent on funding from one or more large media groups in such a way as to possibly compromise its objectivity in adjudicating complaints against such groups? Another test would be: does the watchdog have competence to examine - and does it actually fearlessly examine - complaints against media outfits owned or controlled by its sponsor, e.g. government-run newspapers or television networks? Or are special provisions made to shield such outfits from the scrutiny of the monitor concerned?

A second indicator of a watchdog's effectiveness is the credibility it enjoys amongst the public at large. This is, of course, dependent on a number of factors such as the ease with which a member of the public can approach it with a complaint, the relative informality of its procedures, the width of its mandate, the rigour with which it investigates complaints, the competence and personal integrity of its members, whether it reports back to the complainant or at least keeps him informed of the action being taken on the complaint, the speed and fairness of its procedures and, not least, the nature of the sanctions at its disposal. The last-mentioned factor is particularly important, because by far the most common complaint voiced against media monitors is that they lack "teeth". Such a complaint may, of course, be ill-founded in certain cases, especially
complaint may, of course, be ill-founded in certain cases, especially
where the reality on the ground is such that giving more "teeth" may
actually prove counter-productive in the long run.

Much of the effectiveness of a watchdog mechanism is related
as much to the genius of a people as to formal procedural neatness,
so that, with the same procedures in place, different results may
ensue in different countries. Also, the lack of certain formal
guarantees in the composition or working methods of a watchdog
mechanism need not necessarily make it less effective than another
similar body on which those guarantees have been conferred. The
real test of effectiveness, at the end of the day, lies in the actual
experience of a watchdog's working and the degree of confidence it
inspires in its user constituency. I mention this because, since we are
engaged in a comparative exercise, it would make our discussions
more meaningful if we went beyond a mere description of the formal
features of the mechanisms concerned and focussed also on the way
they have actually worked in practice.

It would be particularly useful to have examples of the way
watchdog mechanisms in the countries represented here have dealt
with contentious issues of far-reaching importance, e.g. issues
relating to the right to privacy or to regulation of satellite television,
which may have come up for consideration before them. Those of
you who have had first-hand experience of these bodies would, I
hope, be able to share the benefit of that experience without, of
course, breaching any confidence. References to the practices and
experiences of media monitors in countries that are not represented
here, especially those in the Asia-Pacific region, would also be
welcome in so far as they are relevant to our discussions.