

TRUST. CREDIBILITY. RESPONSIBILITY. ACCOUNTABILITY.

Between 2007 and 2008 South Africa's biggest weekly newspaper, *The Sunday Times*, was mired in controversy. The paper was forced to retract and apologise for three nationally relevant stories – one alleging that the then president Thabo Mbeki had accepted a R30-million bribe – after the South African Press Council ruled against the paper as a result of inaccuracies in the stories.

The reputation and credibility of the newspaper, a leader in the South African press industry, was tarnished, as readers began referring to the increasingly sensational paper as the “Sunday Slimes”.

In a bid to “enable *The Sunday Times* to produce bold, incisive journalism that maintains the utmost credibility with its audience”, then editor Mondli Makhanya sought the assistance of a panel of South African media experts to investigate the stories and *The Sunday Times* newsroom operations.

The panel consisted of Prof Anton Harber, head of the journalism programme at Wits; experienced media lawyer Dario Milo; *Mail&Guardian* ombudsman and Press Council judge Franz Kruger; and Inter Press Service African regional director and Fray Intermedia founder Paula Fray. The four spent some months investigating the work processes of the stories in question, the editorial policies of *The Sunday Times* newsroom, and interviewing its staff.

Some of the panel's findings were to be expected. In an age of increasing commercialisation and juniorisation in newsrooms globally, this had an impact on the overall quality of the journalism produced in *The Sunday Times* newsroom. But, some of the problems identified by the panel indicated an arrogant disregard for accuracy and accountability. The panellists made a list of recommendations for change at *The Sunday Times*, all with the intent of instilling and maintaining ethical rigour in the newsroom as well as re-instating the public's confidence in the newspaper. One of these recommendations was “that at least the executive summary of this report, and a response from the editor, be published in *The Sunday Times*, and the full report be made available to the public on the internet”.

But, *The Sunday Times* never published the full report. Instead, the newspaper published a 900-word summary of the 88-page report, which clearly left out not only the crucial detail of what went wrong at *The Sunday Times*, but also excluded the panel's particular recommendations that would assist in re-instating the public's trust.

In the months following the Jayson Blair scandal at *The New York Times*, where the young journalist was found to have plagiarised and fabricated several nationally-relevant and high-profile stories, the paper undertook not one, but several investigations into its newsroom processes and policies. After these investigations were completed, the paper released a full report, the Siegal Committee report, of its findings and recommendations.

In this report, the committee stated: “After the damage inflicted by the Blair scandal and the events that followed, we recommend a dramatic demonstration of our openness to public accountability,” and later added that “we must affirm the values of transparency, fairness, and accountability throughout our newsroom”.

Where *The New York Times* sought to reach out to their readers, *The Sunday Times* instead chose to leave theirs in the dark. And after a source provided me with a copy of the report, under the condition that it was not publicly

distributed, I sought to bring the report to light by first making informal requests to Avusa (the owner of the paper) for the report to be made public.

My requests were refused. Then, in April this year, I requested that the full 2008 report be released to the public. Using the mechanisms provided by the Promotion of Access to Information Act, I had hoped that leading journalists at *The Sunday Times* would use this opportunity to demonstrate their commitment to transparency and accountability, but instead, on World Press Freedom Day, my request was again refused by Avusa.

In his refusal to release the report Makhanya stated: “Avusa Media Limited is a private body under the [Promotion to Access to Information] Act,” and adds that the “transparency obligations in relation to private bodies are obviously different from public bodies”.

But does the absence of legislated power or duties attributed to *The Sunday Times* (and private media in general) mean it does *not* exercise a public power, or perform a public function?

Recently the South African media has faced the twin evils of the proposed media appeals tribunal and the Protection of Information Bill and it has been pointed out to me by fellow journalists that, by pursuing the release of this report, I may have provided more weaponry for the pro-state media regulation debate.

But, while this may be true, I find the burial of the report unconscionable. How can we hope to fight this onslaught if respected media houses like Avusa are too afraid to air their own shortcomings in public?

Therefore, while Makhanya's contention that “transparency obligations in relation to private bodies are obviously different from public bodies” may (in some instances) be valid when referring to any *other* private bodies, this does not hold true for a media institution. Simply because *The Sunday Times* is not mandated to be transparent, does not mean it should not be so.

Professor Herman Wasserman, deputy head of Rhodes University's School of Journalism and Media Studies and a seasoned journalist and media ethics writer, said that without responsibility, the fight for media freedom “does not mean much”.

“How can the media celebrate journalists as heroes when they are captured in distant countries, but remain too cowardly to subject themselves to scrutiny at home? Refusing to be fully transparent on a matter of ethics is cowardice. Surely any journalist worth their salt would be suspicious if a government agency claimed that a summary of a report is sufficient and refused to divulge the full report. Why then apply a different yardstick to the media's own affairs?” he said.

This sentiment is echoed by Tetey, who writes that the media “have had a positive impact on democratisation in Africa as conduits for political education, watchdogs of political accountability and forums for civic engagement” (2006: 244). He adds that these expectations are based on the hope that media institutions that hold government officials accountable will themselves display qualities of good governance expected from government, which includes truthfulness and transparency. “The extent to which the media exhibit these characteristics has far-reaching implications for whether they earn the right to freedom of expression and public support for that right vis-a-vis the state,” he continues.

In light of Avusa's role as “watchdog” on behalf of South African citizens, as well as its associated power in society, *The Sunday Times* and all journalistic media institutions have a *more* pertinent and crucial obligation to transparency than any other kind of private institution. This is echoed in *Media accountability and freedom of publication* by prominent media theorist and researcher, Denis McQuail: “The power of the media, like that of government, has to be used in a legitimate way, which is not far removed from the notion of responsibility.”

If the only concern regarding *The Sunday Times*' cover-up of the report was the lack of transparency and openness from the paper, then that problem has been resolved. On 15 June this year, *Business Day* (part owned by Avusa) published the full report. And while this action is commendable, Avusa has yet to show any accountability for covering up the report in the first place. In a Q&A with a *Business Day* reporter, Mondli Makhanya said: “We have spoken openly about the contents of the report. We have never ‘hidden’ the report. Staff members who requested to see it had full access to it.”

But then, why not publish the report?

References

Tetey, W. 2006. “The politics of media accountability in Africa: an examination of mechanisms and institutions”. *International Communication Gazette*. 68: 229.