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Toward Press Council 2.0: An international review of models of, and alternatives to, the traditional press council

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By Ivor Shapiro and Lisa Taylor, Ryerson University

Abstract

This paper presents an overview of preliminary results from a comparative study of existing press council models in Canadian provinces and similar democracies abroad. Gathering information by a combination of survey and qualitative-interview methodologies, we are analyzing the relative effectiveness of, and difficulties faced by, varying models of councils. Among the issues to be analyzed are: how existing models of Canadian press councils compare with one another, and with models operating in other democracies; how various stakeholders define the purpose(s) of press councils; the difficulties faced by existing and defunct provincial news councils in achieving their various goals; whether a national press council may be viable and, if so, what the key function(s) of a national press council might be.

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Introduction

Press councils are in crisis, both here in Canada and in many other jurisdictions throughout the world. It is against this backdrop of challenge and change that we have embarked on a review of existing press council models in Canadian provinces and similar democracies. We began the project early in 2012, at the request of Newspapers Canada, a national newspaper publishers' industry group that represents over 800 daily, weekly and community newspapers throughout Canada.

We previously conducted an online questionnaire, and have only just recently begun the process of gathering information through qualitative interviews with current stakeholders and other interested parties. Ultimately our analysis will include an exploration of the following: how existing press councils in Canada compare with one another, and with models operating in other democracies with vigorously free news media; how various stakeholders define the purpose(s) of press councils; and the difficulties faced by provincial press councils in achieving their various goals. We will also explore the idea of whether a national press council may be viable and, if so, what the key function(s) of a national press council might be (e.g. complaints resolution, facilitation of news media awareness, broad accountability, and citizen engagement).

Much of this work is still ahead of us; at this juncture we are unable to do more than present preliminary findings. We can neither provide any analysis of the data we have gathered thus far, nor draw any conclusions, at this preliminary stage. Instead, this paper offers the following: a review of press councils in Canada, and a presentation of our methodology and research questions.

The origins of newspaper self-regulation in Canada

Canada's press councils were borne of two separate Senate examinations of the newspaper industry, both of which criticized the lack of oversight in print journalism and called for greater government regulation of the industry. "Canada needs a press council," observed the Special Senate Committee on Mass Media (better known as the Davey Commission) in 1970. "We think many of the problems of the press ... could be alleviated by the existence of a watchdog organization that would monitor the press the way the press monitors society" (Special Senate Committee on Mass Media, p. 111). While the Davey Commission specifically called for a national press council, that recommendation apparently didn't get much traction. Instead of creating a national body, newspaper publishers in Alberta, Ontario, and Quebec established provincial press councils shortly thereafter.

Little more than a decade later, another Senate committee repeated the call for press self-regulation, saying "We wish that more newspapers had heeded the Davey Committee in 1970 when it *pleaded* for press councils" (Royal Commission on Newspapers, p. 226). This commission did, however, part ways from the Davey Commission in one significant

respect. “We differ somewhat from the Senate Committee’s view in that we do not urge the formation of a national press council. Regional dissimilarities are illustrated by the different ways in which the Quebec and Ontario councils have developed. But we strongly favor provincial or regional councils” (Royal Commission on Newspapers, p. 226). Shortly thereafter publishers established a regional council in Atlantic Canada and provincial councils in British Columbia and Manitoba were created. There has never been a press council presence in Saskatchewan.

Both here in Canada, and elsewhere in the world, the establishment of press councils often appears to have been a defensive move by newspaper publishers keen to establish a system of self-regulation in order to avoid any regulatory incursion by the state. While publishers and journalists throughout the world may well have recognized the need for public accountability in the newspaper industry, “the decisive trigger to the establishing ... of a press council is commonly a proposal for statutory regulation that is held to threaten press freedom and results in a determined, pragmatic alternative response from the industry” (Fielden, p. 19).

All the Canadian press councils were based on the model of the United Kingdom’s Press Council, which was established in 1951. It is worth noting that this model may well be dramatically overhauled in the foreseeable future, depending on the findings of the Leveson Inquiry, which is currently looking into the role of the press and police in the *News of the World* phone-hacking scandal.

Canada’s press councils today

As we write this, it appears there are five press councils currently in existence in Canada. As recently as 2011, there was a sixth: Manitoba, which folded at the end of last year, after its last two newspaper members withdrew their funding. One of those two papers, the *Winnipeg Free Press*, had been providing the council with \$14,000 of its \$17,000 annual operating budget (Santin, 2012).

In the following paragraphs we will provide an overview first of the Canadian press councils in existence that rely entirely on industry funding, followed by a brief explanation of Le Conseil de Presse du Québec, which relies in part on government funding.

Industry-sponsored councils

Four of the five press councils that currently operate in this country—British Columbia, Alberta, Ontario, and Atlantic Canada—are entirely funded by news organization members. In addition to being entirely funded by member publications, these four councils share a number of other common features: (1) membership is entirely voluntary; (2) with few exceptions, they include print journalism members only (B.C. has a few online members); (3) they do not hear complaints about non-members; (4) they have all had to adjust to declining membership (and corresponding funding reduction); and (5) they have low and decreasing levels of activity.

In regards to that last point—the “low and decreasing levels of activity”—we are defining “activity” in a broad manner. For example, the B.C. Press Council published rulings on 27 complaints between 1990 and 2000, but just eight between 2000 and 2010.

There is also little to suggest these press councils are engaging with the growing role of social media, and the online realm generally, in today's world. None of them uses Twitter; the Ontario Press Council's website design has not changed since 2000, and its content is out of date (as of September 2012, it still listed 27 Sun Media dailies as members, despite the fact that the chain pulled out of the council in July 2011); and the Atlantic council's website is a bare-bones Wordpress page that has not been updated since it was created in April of 2012.

Le Conseil de Presse du Québec

The Quebec council is a very different creature than the councils of English Canada, with the most important difference being how it is funded. Currently, the Conseil receives slightly more than 60 percent of its annual budget from government sources (Staff of the Conseil de Presse du Québec, 2012). The remainder comes from member media organizations, the Quebec Journalists' Federation, and a registered charity, "Le fondation pour le conseil de presse." At about \$400,000 annually, the Quebec council's budget is much greater than that of other Canadian councils—by way of comparison, the British Columbia Council's 2011 budget was \$69,000 (Staff of the British Columbia Press Council, 2012), while Manitoba's budget, as previously mentioned, was \$17,000 in 2011 (its last year of operation).

The Conseil also has a much wider scope than the other press councils in that it also adjudicates complaints concerning television, radio, and online news, makes regular contributions to public debates on journalistic ethics, and offers training workshops to journalists and students. Not coincidentally, the Conseil has a considerably higher public profile than that of its counterparts. It also has a relatively strong web presence, including an active Twitter account, an online magazine, and a modern website. The Conseil's profile is further enhanced by the reputation of its president, retired jurist John Gomery. Mr. Gomery's hiring preceded the Conseil successfully securing significant increases in provincial funding (Staff of the Conseil de Presse du Québec, 2012).

Method

We were asked by Newspapers Canada to examine the state of existing press councils in Canada, as well as to make recommendations for the future of Canadian press councils; given the breadth of that line of inquiry, we adopted a grounded theory approach. Our preliminary efforts were focused on data collection, primarily through the creation and dissemination of an online questionnaire, which we saw as a starting point—a chance to "take the pulse" of interested parties and to ensure we appreciate the breadth of relevant interests at play.

To be clear, the questionnaire results lack quantitative validity, by virtue of the fact that respondents self-selected. We disseminated information about the questionnaire by publicizing it through various channels such as the Ryerson School of Journalism's website and J-Source; word about the survey was also shared via news media (e.g., Kathy English, The Star's public editor, wrote a column about the questionnaire, and TVO journalists tweeted about it). We received just over 500 responses (30 percent of respondents reported working in the journalism industry, and 70 percent self-identified as news consumers) that, despite the inherent limitations of this research (by virtue of the

fact that respondents were self-selected and anonymous), have been instructive nonetheless, and have assisted greatly in shaping our subsequent work.

Of the “news consumer” respondents, just four percent self-identified as individuals who had previously complained to a press council. However, in response to a question asking news consumer respondents why they were interested in the issue, almost all selected one or both of two possible responses: (1) “I am an avid consumer of news journalism,” and (2) “I have concerns about how the news media operates.”

Findings

The findings from the questionnaire include the following:

- In response to the question “How accountable are news organizations to the publics they serve?” slightly less than half of the industry respondents and just over 20 percent of audience members identified news organizations as being “somewhat” or “very” accountable;
- In response to the question “What do you feel are the chief methods for news consumers who are unhappy with the media to seek accountability from a particular news organization?” audience members most frequently identified the following options: (1) writing a letter to the editor, (2) contacting the paper’s ombud or public editor, (3) contacting a manager within the organization in question, and (4) commenting on the website of the news organization in question;
- Both industry and consumer respondents identified receipt, adjudication and mediation of complaints, as well as publicizing the outcome of those processes, as the current primary functions of press councils;
- When asked about what press councils *ought* to focus on, respondents identified “advocacy, education and awareness” as one of the top three responses; and
- Both respondent groups identified lack of news organization commitment and lack of public awareness and interest as the main challenges facing press councils.

Subsequent to the close of that survey, we presented our preliminary findings at the Newspapers Canada Ink + Beyond conference in Toronto in April of 2012; the feedback we received there helped further guide the substance of our qualitative interviews. We began those interviews in May, and continued throughout the summer. We planned to interview a broad range of individuals, including current press council members as well as policy makers, scholars, and other interested parties, in order to gather more perspectives about what press councils do, what they ought to do, and how to best position and define the press council of the future. That stage of the project was to have been concluded by the end of the summer and we planned to present our final recommendations to Newspapers Canada prior to the end of 2012.

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