

# Statistics

A total of 372 complaints were received by the Office of the Press Ombudsman in 2008. Of the total number received, 81 were not processed and 45 were in respect of publications that were not members of the Press Council and therefore could not be considered. The remaining 246 were considered by the Office.

Of the 246 complaints that were considered by the Office, 113 were not followed up beyond a preliminary hearing as the complainants did not pursue their complaints in the timeframe allowed (i.e. within three months of the publication of the article or of the behaviour of a journalist taking place).

The following table sets out the status of the 133 complaints that were either being processed or had been fully processed at 31 December 2008:

## Being processed (41)

Complainant to write to editor in the first instance	28
At conciliation	12
With Press Ombudsman for decision	1

## Fully processed (92)

Ruled out on first reading	26
Successfully conciliated	12
Withdrawn by complainant	11
Consideration postponed due to legal proceedings	6
Decided by Press Ombudsman	35
Referred to Press Council by Press Ombudsman	2

The following table sets out the reasons why some complaints were not processed:

## Not processed (81)

Pre 2008 articles	37
Third party	17
Other regulatory authority	13
Out of time	9
Miscellaneous	5

## Non-member publications (45)

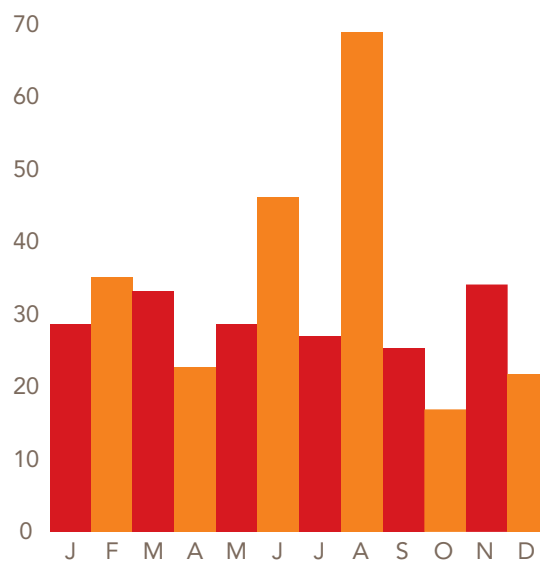
The Office received 664 calls to its local number **1890 208 080**.

The website of the Press Council ([www.presscouncil.ie](http://www.presscouncil.ie)) and Press Ombudsman ([www.pressombudsman.ie](http://www.pressombudsman.ie)) received a total of 12,344 unique visits.

## Number of complaints received

The total number of complaints received in 2008 was 372. The volume of complaints can fluctuate throughout the year for a number of reasons: high profile articles can generate a lot of complaints, as can publicity attached to the publication of a decision of the Press Ombudsman or the Press Council.

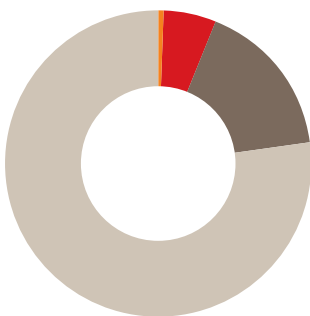
During the year a multiplicity of complaints about a single article generated an increased level of complaints: in May one article generated 15 separate complaints, in July one article generated 44 separate complaints, and in November a third article generated 16 separate complaints.





#### Complainants

Solicitor	(15)	4%
Relative	(59)	16%
Subject	(124)	33%
Third party	(174)	47%



#### Type of publication

Periodical	(1)	0.4%
Regional newspaper	(15)	5.6%
Non-member publication	(45)	17%
National newspaper	(210)	77%

## Complainants

When a person is named in an article, a complainant must have the permission of that person to make a complaint. When no person is named in the article, the complainant must be personally affected by and involved in the article.

The large number of third party complaints received was due to the fact that three articles published during the year generated a total of 75 such complaints, approximately one-fifth of the total number of complaints received for the year, and just under half of the total number of third party complaints.

While 15 complaints (4%) were lodged by solicitors on behalf of their clients, it should be noted that there is no need for a complainant to engage the services of a solicitor. Engaging a solicitor may result in a publication involving its own legal advisers, so that the entire complaints process can become more complex and unnecessarily drawn out.

## Type of publication

The majority of complaints were made about national newspapers. This is not surprising, given the number of national newspapers that are published and their wide circulation figures.

While 45 complaints were made about publications that were not members of the Press Council, the figure is slightly inflated by the fact that one-third of these complaints related to the same article.

It is expected that the number and percentage of complaints relating to non-member publications will decrease in future years due to the plans of the Press Council to encourage all newspapers and periodicals published on a regular basis to join the new regulatory system as soon as possible. All member publications are listed on pages 36 to 40 of this Report.

## Complaints not processed

**Miscellaneous** complaints were complaints that were not processed by the Office and did not fall within any of the other categories mentioned under the 'Complaints not processed' heading. For instance, they included a complaint about a broadcasting website, a complaint about Government funding of a service for emigrants and the omission of a name from a business directory.

**Out of time** complaints were complaints that were made over three months after the publication of an article, or after the behavior of a journalist taking place.

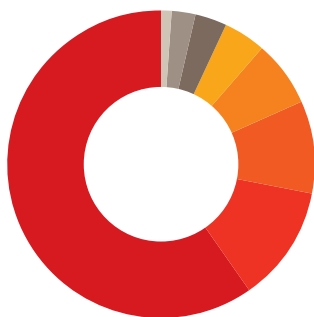
**Other regulatory authorities** were the Advertising Standards Authority of Ireland and the Broadcasting Complaints Commission.

The **third party** complaints that were not processed by the Office were either from individuals who were not personally affected by and involved in the article in question, or who did not have the permission of a person named in the article to make a complaint.

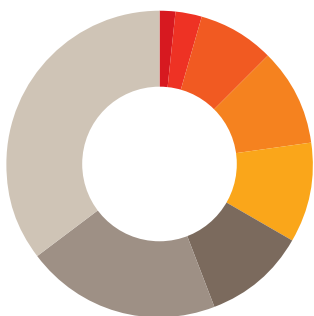
**Pre 2008** articles were articles published before the Office was established. These complaints featured almost entirely in the first quarter of the year.



Complaints not processed		
Miscellaneous	(5)	6%
Out of time	(9)	11%
Other regulatory authority	(13)	16%
Third party	(17)	21%
Pre 2008	(37)	46%



Type of complaint		
Miscellaneous	(5)	1.6%
Out of time	(9)	2.4%
Other regulatory authority	(13)	3.5%
Third party	(17)	4.5%
Ruled out on first reading	(26)	7%
Pre 2008	(37)	10%
Non-member publication	(45)	12%
Breach of Code of Practice	(222)	59%



Principles of Code of Practice cited by complainant		
Children	(6)	2%
Court Reporting	(10)	3%
Respect for Rights	(29)	8%
Fairness and Honesty	(37)	10%
Distinguishing Fact and Comment	(38)	11%
Privacy	(39)	11%
Incitement to Hatred	(74)	20%
Truth and Accuracy	(128)	35%

## Type of complaint

The majority of the 372 complaints received were in relation to an alleged breach of the Code of Practice. The full text of the Code is printed on page 16.

A number of complaints received were ruled out on a first reading for a variety of reasons. The most common reason was that no breach of the Code of Practice was shown by the complainant. This could be the case, for example, where an inaccuracy complained of was not significant, or where the complaint was about the non-publication of a letter, or about a disagreement with an expression of opinion. A complainant's disagreement with an opinion expressed in an editorial or a clearly-marked opinion piece does not in itself represent a breach of the Code: there is an onus on complainants to show how and why they believe any such article has breached any relevant Principle of the Code.

## Principles of Code of Practice cited by complainant

Many complainants submitted their complaint under more than one Principle of the Code of Practice.

The majority of complaints made under the Code were made in relation to Principle 1 - Truth and Accuracy. Newspapers regularly publish clarifications or corrections where it has been established that a genuinely inaccurate report has been published.

Complaints under Principle 1 of the Code were closely followed in volume by complaints under Principle 8 - Incitement to Hatred. However, the high number of complaints under Principle 8 reflects the fact that a multiplicity of complaints alleging breaches of this Principle were made about three particular articles. Out of a total of 74 complaints received about Principle 8, the three articles in question generated 60.

## Formal complaints concluded

Formal complaints are those complaints where the complainant decided to pursue the matter in writing with the Office of the Press Ombudsman having unsuccessfully attempted to resolve the matter directly with the editor of the publication.

Just under a quarter of formal complaints lodged with the Office were successfully conciliated and three-quarters were decided upon by the Press Ombudsman.

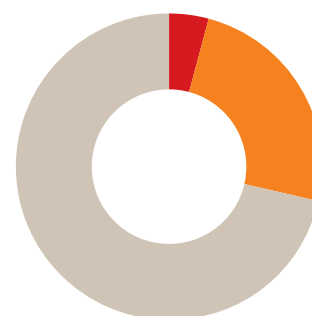
The Press Ombudsman has the discretion to refer certain cases that he deems to be of a significant or complex nature to the Press Council, and he did this on two occasions.

## Decisions of the Press Ombudsman

Just over one-third of complaints that were the subject of a decision of the Press Ombudsman were either upheld or upheld in part.

In a number of other cases, the Press Ombudsman decided that the action offered by the publication to resolve the complaint was sufficient in all of the circumstances. In such cases, no formal decision was made about a breach of the Code of Practice.

Half of the complaints decided upon by the Press Ombudsman were not upheld.



### Formal complaints concluded

Referred to		
Press Council	(2)	4.1%
Conciliated	(12)	24.5%
Decided by		
Press Ombudsman	(35)	71.4%



### Decisions of the Press Ombudsman

Sufficient remedial action offered by publication	(4)	11.4%
Upheld or upheld in part	(13)	37.2%
Not upheld	(18)	51.4%