

IMC SETTLES MORE COMPLAINTS

Independent Media Commission
22ND July 2008

The Independent Media Commission recently concluded hearings into more complaints from the public as follows:

1. Re: Complaint by Sylvia Teresa Beckley against the Managing Editor of the Independent Observer, Mr. Jonathan Leigh

The Commission considered a complaint from Mrs. Teresa Beckley in which she stated that the Independent Observer Newspaper, published an article written by a Guest writer Mr. Gbondima Gbondo on 18th June 2008 captioned: '*Too much politics in SLRA Affairs*'. She said that Mr. Gbondo embarked on a spate of bad publicity against her husband, Mr. Aki Beckley, with a view to tarnishing his character and also used obscene language against his person. She said that her husband had never been involved in any IMF loan affairs as the International Monetary Fund (IMF) only deals with governments. She maintained that he had never found himself in any trouble nor had he been involved in any dubious deal as alleged by the newspaper.

During the second hearing of the matter, the Managing Editor of the Independent Observer informed the Complaints Committee that he had amicably settled the matter with the Solicitor of Mr. Aki Beckley and had retracted the article and tendered an apology.

Mrs. Beckley informed members that her husband sought legal advice immediately the article was published, after which they learnt about the existence of the Independent Media Commission. She said that as a result of discussions held with their Solicitor, the Editor published a front page retraction of the said article.

She maintained that although she accepted the retraction and the apology, and therefore wished to withdraw the complaint, she was still concerned about the obscene language used by Mr. Gbondima Gbondo.

The Commission accepted Sylvia Beckley's withdrawal of the matter, but would like to remind all Editors that they take full responsibility for the contents of their newspapers be it commentary, article written by a guest writer or an opinion piece.

The Commission warned that in future it would deal firmly with indecent publications in line with Section 23 of the Media Code of Practice.

2. Complaint by Mr. Joseph Mbawah, Principal International Academy of Science and Business Studies against Exclusive Newspaper of Thursday 19th 2008 article Captioned 'Principal *Accused of sexual harassment*'

With regard to the article captioned '**Principal accused of sexual harrassment**' the Independent Media Commission considered a complaint from Mr. Joseph Mbawah, Principal of International Academy of Science and Business. The Complaint was made against the Managing Editor of the Exclusive Newspaper.

Mr. Mbawah stated in the letter of complaint that on Thursday 19th June 2008, the Managing Editor of Exclusive Newspaper published an article titled:-'**Principal Accused of Sexual Harassment**'. He said that the article was not only baseless and unfounded but was also devoid of professionalism.

He said that he had never made advances to any student for over the two decades of his teaching career, noting that his former bosses at the Lebanese School where he served for about 20years would testify to his character as a very professional and dedicated teacher.

Mr. Mbawah affirmed that the real source of the allegations was a disgruntled former teacher at the school who had threatened to use the Exclusive Newspaper to damage his reputation and bring down the school. This he said had been confirmed by text messages sent to him by the former teacher who claimed to have strong connections with the Exclusive Newspaper.

The Board interviewed Mr. Mohamed Jalloh, former French teacher of the school who resigned from the school in April this year. The Chairman of the Board,

Alhaji Swarray Deen was also questioned about the character of Mr. Mbawah and his Board's reaction to the issue.

After lengthy deliberations on the matter, the Commission resolved as follows:-

The Commission viewed newspaper allegations of sexual misconduct against anybody as a very serious matter. It was even more serious when such allegations were made against the principal of a secondary school, whose main duty was to mould the future leaders of Sierra Leone. This was why the Commission agreed with the Exclusive that such allegations were of extreme public interest. The Commission appreciated the efforts made by the Exclusive to investigate the matter by seeking the reaction of Principal Mbawah about the allegations made against him.

The Commission believed that Principal Mr. Mbawah lost a good opportunity to set the record straight when he refused to cooperate with three journalists from the Exclusive who visited his office to ascertain the veracity of the allegations.

The IMC however noted that the Exclusive did not exercise enough discretion in handling the two main sources of the story. Given the seriousness of the issue, notwithstanding the Principal's uncooperative behaviour, the editor should have treated the matter professionally by employing the techniques of investigative reporting to get to the bottom of the allegations. The Commission further observed as follows:

Mohamed Jalloh – former teacher of the school

The Commission noted that Mr. Jalloh confirmed that he was the source of the story. He said he resigned from the school because of low pay and poor professional standards. He agreed with the commission that he had something personal against Principal Mbawah, and that was his blatant refusal to pay his salary for the month of April 2008.

The Commission expected the Exclusive to exercise its ethical discretion in dealing with sources like Mr. Jalloh who clearly had an axe to grind.

The Commission was not convinced that this was done. The Commission believed that matters as serious as this required much more sustained and in-depth investigation prior to publication.

16 year old girl

The Commission completely disregarded whatever statement this source was quoted as saying to the Exclusive because the paper had been in breach of Section 12 of the Media Code of Practice which states: ‘Journalists must not interview or photograph children under the age of 18 on any subject involving the children’s welfare, in the absence of or without the consent of a parent’. No such permission was obtained.

The Commission therefore fined the Exclusive newspaper Le500.000 (Five Hundred Thousand Leones) for contravening the Media Code of Practice

Complaint by Dr. A.J. Sisay, Director-General, SLBS – titled ‘False allegation against the Hon. Minister of Information and Communication against Democrat Newspaper of Monday 2nd June 2008

The Commission conducted a hearing on a complaint received from Dr. A.J. Sisay, Director General of SLBS AGAINST Democrat Newspaper for an article titled: False allegation against the Hon. Minister of Information and Communication.

Dr. A.J. Sisay informed the Complaints Committee that he was not representing the Minister but himself. He said that the basis of his complaint was that because of certain allegations in the newspaper, he was invited by the Anti-corruption Commission to answer to questions raised in the article, paramount amongst which was the payment of fees by BBC, VOA, RFI, Reuters and Associated Press News service.

In his defence, the Managing Editor, Mr. Pious Foray told the Committee that he had no intention to malign the management of the SLBS nor Mr. I.B. Kargbo.

Minister of information and Communication but that he was merely asking questions on a matter of public interest.

The Commission agreed that the issue under consideration was a matter of public interest but was not convinced that the intention of the Democrat was merely to 'ask questions' about alleged misappropriation of government funds. The Commission expected that the Democrat would have endeavored to find answers to questions as the editor gave no indications to the committee that he experienced obstruction in his search for the truth about the alleged missing funds. The Democrat only published innuendoes and suggestions that corruption might have taken place. The Commission believed that such journalism generated heat rather than light.

The Commission consequently invoked Section 5 of the Media Code of Practice which states:

a fair opportunity to reply to inaccuracies must be given to individuals or organizations when reasonably called for'

and directed that the Democrat complied with this provision in respect of the matter within seven days of receipt of a letter from the IMC conveying its decision.

ENDS