

# Kaizer Chiefs vs *Sunday World*: Press Ombud rules against headline

By [Ombud Watcher Law](#)

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On Sunday, 21 April 2024, Kaizer Chiefs lost 1-0 to a low-ranked Richards Bay at King Zwelithini Stadium in Umlazi, its third loss in as many matches. Off the field, facing off against *Sunday World* before the Press Ombud over an article in the newspaper, it fared only slightly better.



Source: [www.unsplash.com](https://www.unsplash.com)

Kaizer Chiefs' main claim – that two reports in the paper reflected “the unverified claims of a single source in the club” – was dismissed. The complaint, which was lodged on 8 December 2023, concerned reports that were published in *Sunday World* on 26 November and 4 December 2023 respectively. Press Ombud rulings are usually issued quite quickly.

But in this case, *Sunday World's* acting editor took months to respond to the complaint. Ordinarily, a publication is [required to respond](#) within seven working days. The offending reports focused on allegations of racism, racial tension, and racial discrimination at Kaizer Chiefs, with the second report focusing on the club's alleged response to the first – a “witch-hunt against racism whistleblowers”. Kaizer Chiefs was given an opportunity to respond to both reports, which it did, with the spokesperson and caretaker coach being quoted in the first and second respectively.

Three of the eight legs to the complaint were upheld: a breach of clause 1.8 of the Press Code, which deals with the right of reply; a breach of clause 1.2, which requires news to be presented “in context and in a balanced manner, without any intentional or negligent departure from the facts”; and a breach of clause 10.1, which deals with misleading headlines, captions and posters.

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1.2 present news in context and in a balanced manner, without any intentional or negligent departure from the facts whether by distortion, exaggeration or misrepresentation, material omissions, or summarization

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1.8 seek, if practicable, the views of the subject of critical reportage in advance of publication, except when they might be prevented from reporting, or evidence destroyed, or sources intimidated. Such a subject should be afforded reasonable time to respond; if unable to obtain comment, this shall be stated

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10.1 Headlines, captions to pictures and posters shall not mislead the public and shall give a reasonable reflection of the contents of the report or picture in question

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Clause 1.8 was breached because Kaizer Chiefs was not given an opportunity to respond to the allegation that only “the ‘coloured’ players ... were allowed to leave the team hotel to go watch the Springboks rugby final”. That allegation was made in the context of black players allegedly complaining “that the ‘coloured’ players’ matters are always swept under the carpet, while their cases are dealt with harshly.”

The breach of clause 1.2 was established because of Sunday World’s use of words such as *turmoil* to describe unhappiness, and *witch hunt* to describe the asking of questions. In coming to the conclusion that “both reports breached clause 1.2 by exaggerating the matter”, the Deputy Press Ombud found that *Sunday World* used terms that “are over the top, even allowing for tabloid style”.



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The final breach, of clause 10.1, is limited to “the headline and related material of the second article”, and not the body of the report itself. The offending parts were found to “elevate a claim unduly”. In particular, the use of the term racism whistleblowers (in the headline “Kaizer Chiefs launch witch-hunt against racism whistleblowers”), was found to make “a strong assumption that the claims are now established fact.”

[Read the Deputy Press Ombud’s ruling](#) (21 April 2024)

Editors may feel that this part of the ruling is harsh because a headline has to be punchy to attract readers’ attention;

pinpoint precision is a high bar in this context. In any event, our law of defamation recognises that “words that are used in a newspaper heading must not be read in isolation – the ordinary reader must be taken to have read the article as a whole albeit without careful analysis” (see [here](#)).

This ruling does not require an apology, a remedy often favoured by ombud rulings. Instead, *Sunday World* was ordered to publish a correction of each report (in print and online), along with a brief summary of the ruling, and various related material. As is the norm, a draft of the correction is to be submitted to the Deputy Press Ombud for approval before publication.

At the time of writing, both parties still had time to apply for leave to appeal to the chairperson of the Appeals Panel. Kaizer Chiefs may very well have more reason to feel aggrieved, given that its core complaints were dismissed. That said, *Sunday World* may feel aggrieved at being accused of publishing exaggerated, tabloid style articles, and having its hands tied somewhat when it comes to headlines.

This column aims to bring Press Ombud rulings to a wider audience and to give more public scrutiny to the rulings. The column is written by a legal practitioner but reflects the view of GroundUp’s editors.

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