A reader lodged a complaint in connection with content published in The ***Constantiaberg*** ***Bulletin*** newspaper.

The complainant wrote:

*“The front page article ("Inmates Better Protected"), of today's edition of the Constantiaberg Bulletin refers, as attached.*

*I draw attention to the opening paragraph of said article that states, "Bad food, not enough food, sharing a cell with a smoker,* ***sharing a cell with gays****...are all issues taken up by Independent Correctional Centre Visitors...". I hold the underlined phrase in the above to be discriminatory, offensive and an example of prejudice, and that said underlined phrase is therefore unacceptable in contemporary South African journalism.*

*I note the above paragraph is not framed as a direct quotation by your reporter, Karen Watkins, and therefore does not reflect the prejudice of a given speaker being reported upon. The underlined phrase is as discriminatory and offensive as any such phrase reflecting similar prejudice against formerly discriminated against population groups would be.*

*The publication of such a phrase as, "sharing a cell with blacks/so-called coloureds" or "sharing a cell with Jews/Muslims" would be unconscionable. I must therefore respectfully question how the cited underlined phrase made it past the editor in the first instance.*

*I must further note that no context for this offensive underlined phrase is provided: and further hold that no argument, save for discrimination and bigotry, could indeed be provided for said underlined phrase - as the discrimination found in same is based purely on sexual orientation.*

*As I hold this to be a grave matter, one of those casual incidents of homophobic speech that are of concern specifically as they almost unobtrusively normalise discrimination, I have included the Press Ombudsman herein to track the matter, as well as the Triangle Project.*

*For resolution, I ask the following:*

1. *That your reporter publish an unreserved apology on either page one or page three of your paper, apologising for the discriminatory nature of the underlined phrase unreservedly, whether such discrimination was intended or not, noting that I hold this to be all the more necessary in the event of such discrimination not being directly intended or even perceived by your reporter;*
2. *In addition, that your paper run a follow-up article with some investigative journalism undertaken to determine whether inmates who identify as homosexual at Pollsmoor Prison have experienced direct discrimination and/or abuse in said prison as a result of their sexual orientation; and, in addition, how those who have perpetrated, or are alleged to have perpetrated, sexual assault upon fellow inmates of the same sex in said prison identify sexually: i.e. are same-sex sexual assaults within the prison perpetrated by inmates who identify themselves to be heterosexual or homosexual?”*

The complaint was, in line with Independent Media’s Complaints Procedure, referred to the Western Cape Regional Executive Editor for resolution. During the resolution process, the publication offered to publish an apology.

On July 13, 2017, the ***Bulletin*** published an apology on Page 2, headlined “For the Record”.

The apology stated:

*“ A* ***Bulletin*** *reader pointed out the opening paragraph of last week’s lead story “Inmates better protected”, could be interpreted as being discriminatory against homosexuals. While the list of complaints quoted from the minutes of a meeting of JICS, the* ***Bulletin*** *agrees that we should have made this clear and provided further context. We assure our readers that we have no prejudice against homosexuals and no harm was meant. We apologise for any upset this may have caused.”*

Subsequent to the publication of the apology, the complainant wrote and expressed dissatisfaction with the published apology. The complainant’s view is that the matter was not resolved because he had requested an unqualified apology and a follow-up article to help combat prejudice.

The Office of the Group Ombudsman has studied the complaint and all developments and took a decision that:

* While the article made it clear that the reference to “sharing a cell with gays” was made not by the newspaper but by the Judicial Inspectorate for Correctional Services, The ***Bulletin*** nonetheless accepted responsibility that the content and presentation of its article may have caused offence.
* The publication pro-actively published an apology, setting it out its stance on prejudice against homosexuals.
* The Office of the Group Ombudsman accepts the apology as appropriate and adequate redress to the complaint and now considers the matter closed.
* The complainant is, in accordance with Independent Media’s Code of Ethics and Complaints Procedure, entitled to appeal this ruling.
* An appeal should be lodged with our office within 14 days of this decision and addressed to the Chair of the Appeals Panel - Judge Zak Yakoob.