

COMM 2035 Communication, Ethics and Law

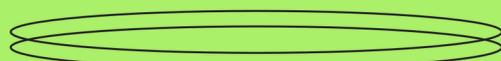
Lecture 6 Ethics / Law and Journalism Part I

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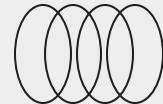
Ethics in Journalism

- Journalistic ethics are the common values that guide reporters.
- They have evolved over time.



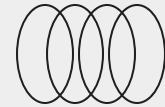
- Most news organizations have their own written codes of ethics, as do professional membership bodies.
- They lay out both the aspirations and obligations that journalists, editors, and others working in the field should follow to execute their work responsibly.
- If a professional journalist or news organization transgresses these ethical standards, they will lose credibility.

The Standard Ethical Principles for Journalists



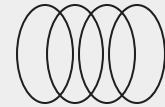
- There are several key ethical standards that appear across global news organizations.
- At the highest level, they call on journalists to seek the truth, act in the public interest, and minimize harm.





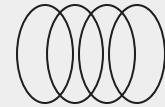
Responsibility

- The public's right to know of events of public importance and interest is the overriding mission of the news media.
- The purpose of distributing news and enlightened opinion is to serve the general welfare.
- Journalist who use their professional status to representives of the public for selfish or other unworthy motives violate a high trust.



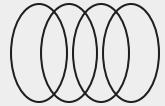
Accuracy

- Good faith with the public is the foundation of all worthy journalism.
- Truth is our ultimate goal.
- There is no excuse for inaccuracies or lack of thoroughness.



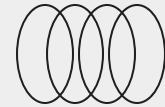
Honesty

- Journalists have an obligation to seek out the truth and report it as accurately as possible.
- This requires diligence: this means making every effort to seek out all the facts relevant to a story.
- Journalists should also corroborate any information with multiple sources.

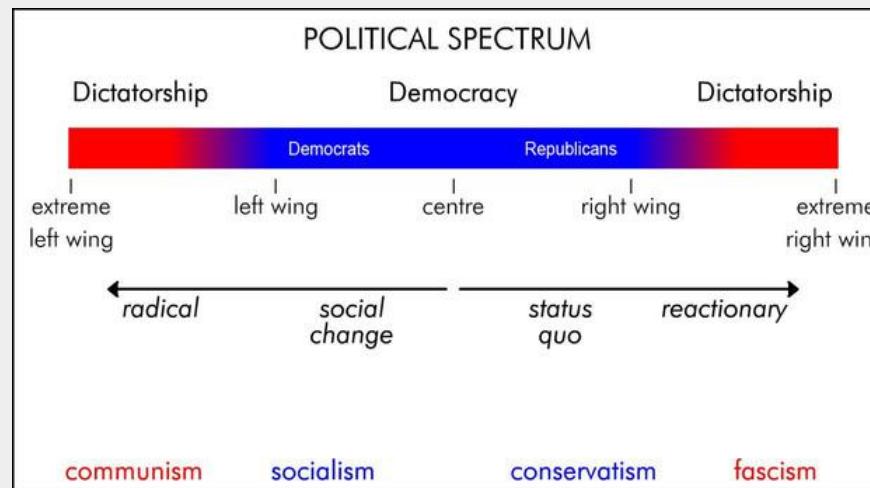


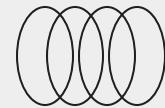
Independence

- Journalists should avoid taking political sides and should not act on behalf of special interest groups.
- Any political affiliations or financial investments that might constitute a conflict of interest with the subject they are writing about should be declared to editors and readers.



- Some organizations characterize this principle as “objectivity,” while others, especially non-profit civic journalism projects, reject this term, as they position themselves explicitly on the side of public interest.

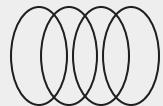




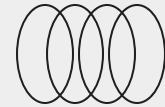
Fairness

- In addition to being independent, journalists should show impartiality and balance in their reporting.
- Most news stories have more than one side, and journalists should capture this.



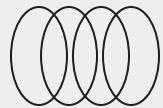


- They should not place two different perspectives on equal footing where one is unsupported by evidence.
- The exception to the impartiality rule is opinion writing, as well as “gonzo” journalism and creative nonfiction.



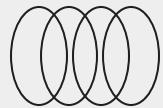
Public accountability

- News organizations should listen to their audience.
- To enable the public to hold them accountable, journalists should write under their own by lines and accept responsibility for their words.
- When news outlets publish factual errors, they need to issue a correction.



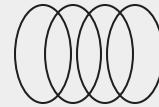
Harm minimization

- Not every fact that can be published should be published.
- If the amount of harm that could come to private individuals — particularly children — as a result of disclosure exceeds the public good that would come of it, then news outlets might choose not to publish the story.



- This is less of a consideration when it comes to public figures.
- It is huge, however, in matters of national security, where lives could be on the line.

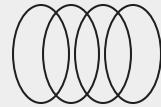
Avoiding libel



- Journalists cannot print false statements that damage a person's reputation.
- In most jurisdictions, true statements cannot be libelous, so journalists can protect themselves by rigorously checking facts.



Proper attribution



- Journalists must never plagiarise.
- If they use information from another media outlet or journalist, they need to attribute it to them.





Reference and video

What Is Ethics in Journalism? Learn About Journalism Ethics With Tips from Legendary Journalist Bob Woodward, by MasterClass, 30 September 2021.

<https://www.masterclass.com/articles/what-is-ethics-in-journalism-learn-about-journalism-ethics-with-tips-from-legendary-journalist-bob-woodward#6hVeAAKHi6leM7eFoqpTg3>

Public Interest

- The most common justification that journalists make for their work is that it is “in the public interest.”
- It is this notion that underscores the moral authority of journalism to ask hard questions of people in power, to invade the privacy of others and to sometimes test the limits of ethical practice in order to discover the truth.



But what exactly is the public interest? And how do journalists ensure that they always respect it in the way they work?



- Put simply, the public interest is about what matters to everyone in society.
- It is about the common good, the general welfare and the security and well-being of everyone in the community we serve.



- The public interest is not just what the readers, listeners or viewers want either as consumers or people who want to be entertained.
- It is about issues that affect everyone, even if many of them are not aware of it or even if they don't appear to care.



- Normally, it is clear to journalists and editors what is and what is not in the public interest, but sometimes it's a complex question, particularly where privacy is concerned.
- The first task, however, is to separate what is in the public interest from those things members of the public are interested in; they are not necessarily the same.



- Many people may be interested, for instance, in celebrity and popular culture, and demonstrably less interested in the dull realities of public services.
- But the potential for dramatic impact on peoples' lives makes the provision of basic services –transport, education, health, sanitation, for instance –absolutely vital matters of public concern.



- Just because the public is interested in something has nothing to do with whether it is in the public interest.
- The public interest is in having a safe, healthy and fully-functioning society.
- In a civil society, journalism plays a central role in that.



- Journalist inform the public.
- That is why there is a public service ethic at the heart all of serious journalism.
- If journalists are good at their job, and to win the trust of the public they must hold governments and other institutions to account and they must act and behave ethically.



Public Interest and Privacy

- Privacy is the critical test of ethical journalism and the public interest.
- Journalists should not intrude into the private lives of ordinary people, after all most people do not live in the glare of public life.



- But people who are public figures –politicians, or corporate leaders, or people who exploit and rely on their public image for their livelihood, or who carry a public responsibility such as police officers, teachers and doctors –are sometimes people whose private affairs may have an important impact on their public duties.



- Media intrusion, ethically justified by reasons of the public interest, exposes hypocrisy and dishonesty.
- But whenever it is used it must be justified. The reasons for the intrusion must be clearly explained to the public.



- It must be linked to the wider public interest. Some countries build “the public interest” into their legal systems.
- For example, a number of countries protect “whistleblowers” who speak out about wrongdoing in their place of work.



- It is important, therefore, to examine the legal conditions in which information is given and whether or not it has legal protection when it is revealed in the public interest.





Reference :

The Public Interest , by Wendy Collinson,
ethical journalism network, 7 July 2012.

<https://ethicaljournalismnetwork.org/the-public-interest>

National Union of Journalists (NUJ) in London defines the public interest (in 2002) which includes :

- a. Detecting or exposing crime or a serious misdemeanour;
- b. Protecting public health and safety;
- c. Preventing the public from being misled by some statement or action of an individual or organisation;
- d. Exposing misuse of public funds or other forms of corruption by public bodies;
- e. Revealing potential conflicts of interest by those in positions of power and influence;
- f. Exposing corporate greed;
- g. Exposing hypocritical behaviour by those holding high office.



- There is a public interest in the freedom of expression itself.
- In cases involving children, journalists must demonstrate an exceptional public interest to over-ride the normally paramount interests of the child.



- The “public interest” is a political concept that’s regularly trotted out along with other democratic principles such as transparency and accountability.
- And, like transparency and accountability, it’s difficult to pin down exactly what it means.



Deputy NSW Ombudsman Chris Wheeler has pointed out:

... while it is one of the most used terms in the lexicon of public administration, it is arguably the least defined and least understood ... identifying or determining the appropriate public interest in any particular case is often no easy task.



- Centuries of scholarship examine the public interest alongside the “common good”, “common interest”, and “public good”, associated with some big names in political philosophy.



Why is the public interest so hard to define?

- It has no overarching definition because it is contextually determined in scope and purpose.
- This means, in any particular instance, political, legal and regulatory authorities make judgement calls.



- And what may be deemed in the public interest today may not be in a decade; it changes with social mores and values.
- For example, during the UK's Leveson Inquiry into the media, the public interest came under close scrutiny. The inquiry found media practice should better reflect the contemporary views of the British public.



As Guardian blogger Andrew Sparrow said:

50 years ago it was assumed that there was a public interest in knowing that an MP was gay, but little or no public interest in whether he drove home drunk, hit his wife or furnished his house using wood from non-sustainable sources. Now, obviously, it's the other way round.



In a Federal Court Freedom of Information case, justice Brian Tamberlin wrote:

The public interest is not one homogenous undivided concept.

It will often be multi-faceted and the decision-maker will have to consider and evaluate the relative weight of these facets before reaching a final conclusion as to where the public interest resides.





Media Problems and the Public Interest

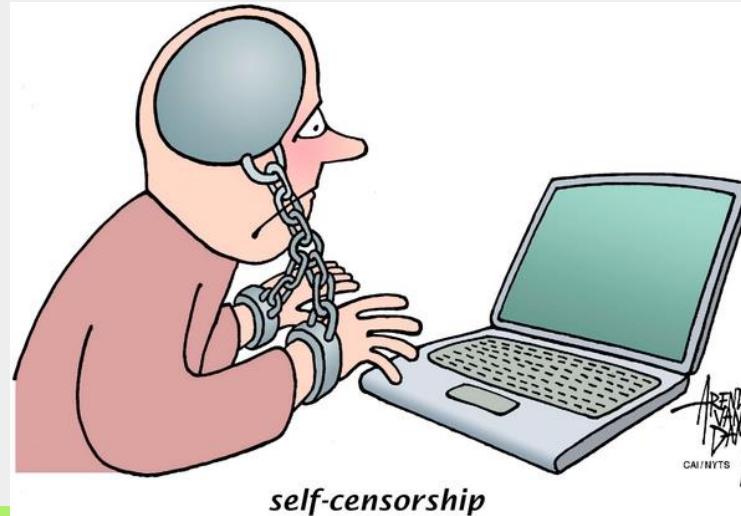
Harvard Kennedy School 13 May 2013

By Professor Thomas Patterson, he explains how problems with the media impact the public interest. Patterson is research director of Journalist's Resources, run by the Shorenstein Center on Media, Politics and Public Policy.

<https://www.youtube.com/watch?v=-GhzxE4V0GY>

Self-censorship

- Self-censorship is when someone, most often a journalist or media outlet, censors their own speech or expression.



- They choose not to say something —perhaps not to report a story on the government or give an opinion on a new law —that could be important for the public, either because of its factual nature or because it would contribute to a robust public debate on the issue.

- Self-censorship is considered to be a voluntary act, but it is often done out of fear or pressure.

Why do people censor themselves?

Self-censorship can happen for a number of reasons.



- For instance, journalists might choose to show deference to certain cultural, religious or other considerations in their reporting.
- But when we use the term self-censorship, we are generally referring to situations where someone would like to share something but decides not to out of fear or pressure.

- A journalist worries for their job, safety or reputation; a media outlet worries about its independence or its revenue stream.
- So most people self-censor to avoid occupational or personal harm.

- A newspaper may self-censor its content to avoid the ire of its readership or advertisers, thus protecting their income.
- Or they may self-censor because certain laws or regulations forbid them from publishing something they otherwise would.



- But one of the most serious causes of self-censorship is when it happens because the person or entity censoring themselves feels pressure or threats to self-censor.

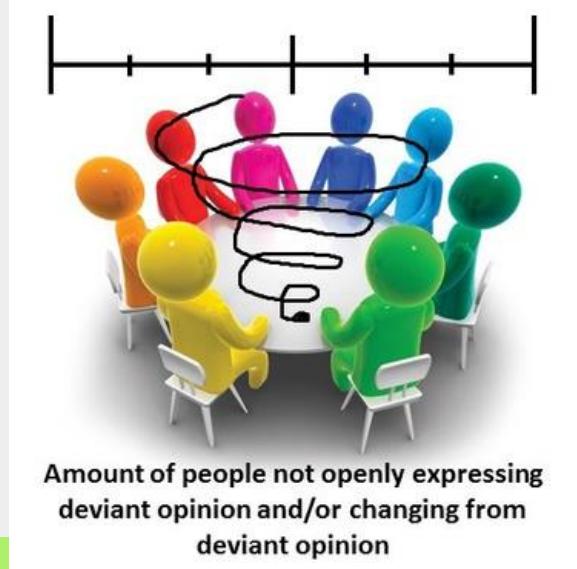
How to detect if you censor yourself ?

- On a day-to-day level, most of us censor what we say in order to conform to social norms. If someone holds unpopular views, they are unlikely to share them with people they don't trust.
- But this is not what we mean by ‘self-censorship’, but rather ‘social filter’ that we all practice, and for good reason.

- The danger is when this ‘social filter’ is slowly expanded to cover more and more issues, increasing self-censorship and further silencing speech and public debate.



- Ironically, the proliferation of social media platforms actually exacerbates this. Researchers have found that social media helps grow a phenomenon known as the “spiral of silence”—when individuals suppress their own views if they think they differ from those of family, friends or colleagues.



- A recent study in the United States found that 40% of people choose to self-censor because they perceive a certain cost, be it social, professional or otherwise, to sharing their opinion on certain matters.



Reference :

What Is Self-Censorship? How Does It Kill Media Freedom? By Jonathan Day,
LIBERTIES , 10 June 2021.

<https://www.liberties.eu/en/stories/self-censorship/43569>

Journalists and Victims of Crimes

- The media and journalists play an important role in providing the general public with information on levels of crime, trends in violence, risks of secondary harm to victims, and also on ways to prevent crime, the execution of justice, and legislative measures



- Providing sensitive and well-balanced information on particular cases is a very useful function of the media.
- On the other hand, untactful or insensitive approaches and invasion of privacy has an adverse impact on a range of individuals including victims of crime.



- Reporting about crime is always contradictory as it is a struggle between the right of the general public to receive information and the right of the victim and the victim's family to privacy.
- Principles regarding reporting on crime and secondary harm to victims are in some countries regulated by law and in others by codes of conduct or by promoting the continuing education of journalists



- The UN Commission on Crime Prevention and Criminal Justice recognized that the mass media are in a difficult situation when they need to make a decision, within a short time limit, as to whether specific information should be disclosed.



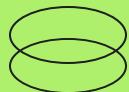
- To help with such decision making the Commission approved in 1997 at its 6th Session a particular recommendation and principles .
- Crime is a fascinating topic as it attracts the attention of readers or viewers and it rouses people's emotions.



- It is always important to take into account that for every crime there is not only an offender but also a victim.
- News reporting on crime should respect the facts and strive to be as balanced as possible.



- Information published after an offence has been committed is perceived sensitively by victims as well as their family and the people close to the victim.



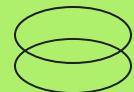
Respect the privacy of the victim

- Do not disclose information leading to the identification of the victim –with the exception being the wish or consent of the victim (including their survivors) to have their identity be published.



Do not force the victim to provide you with information.

The victim's experience of a crime is a painful and predominantly private matter and the victim will usually not wish to have this published.



Through words or images one can cause the secondary trauma of the victim.

For example by disclosing details on the victim's health condition, surgery and related consequences without the consent of the victim you invade their privacy and you may bring about feelings of shame, dishonour, and disgrace.

Do as you would be done by!



- All journalists should always bear this motto in mind before they publish their contribution to a ‘crime story’.
- A fundamental and vital principle of each serious journalist is to write the truth and to search for this truth by a fair means under all circumstances.



There are three rules for ethical media presentation of victims of crime:

- A rule respecting the privacy of victims and their close family members;
- A rule protecting the reputation of victims of crime;
- A rule respecting the further needs and interests of victims of crime





From :

Journalists and Victims of Crimes, Published for
the Unit of Psychology at the HR Department of
the Ministry of the Interior of the Czech
Republic , by THEMIS, publishing house, 2008.

[file:///C:/Users/CHANKC/Downloads/Journalist_and_Victim_of_Crimes%20\(2\).pdf](file:///C:/Users/CHANKC/Downloads/Journalist_and_Victim_of_Crimes%20(2).pdf)

Citizen journalism

- Citizen journalists have become regular contributors to mainstream news, providing information and some of today's most iconic images, especially where professional journalists have limited access or none at all.



- While some hail this opportunity to improve journalism, others fear that too much importance is placed on these personal accounts, undermining ethical standards and, eventually, professional journalism.

- In times of economic crisis and decreasing audiences, particularly among young people, the vast majority of mainstream media has encouraged the active involvement of non-professional journalists in three main ways: encouraging comments on an existing news piece crowdsourcing, where a reporter asks the general public to provide additional information to complete a story, or to help check facts, uploading content through specific applications on websites or creating dedicated citizen journalism sites, such as CNN iReport. This not only saves costs but makes the research process more transparent, leading to greater trust from the audience as well as brand loyalty. “

- According to Bowman and Willis, “the intent of [a citizen’s] participation is to provide independent, reliable, accurate, wide-ranging and relevant information that a democracy requires”

- However, due to the fact that in general citizen journalists are not professionally trained—or simply do not have these intentions—not all contributions from citizen journalists adhere to ethical standards that can be expected of professional journalists.

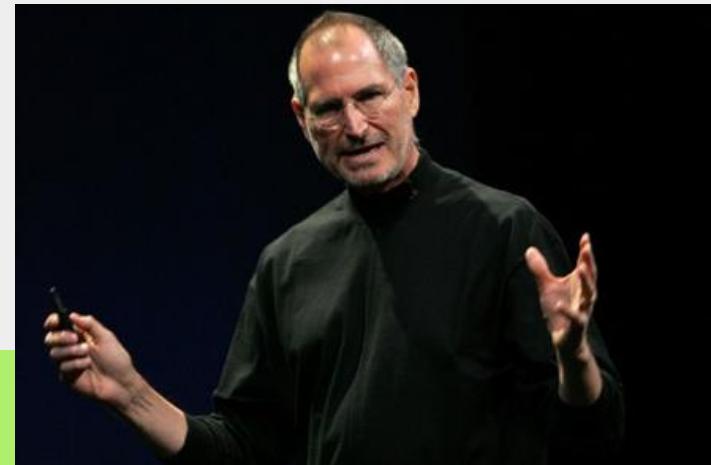
- Moreover, citizen journalists, especially those who write, usually give a very personal and therefore often biased view of an event.
- Many citizen contributors do not see themselves as journalists but rather as activists, and therefore do not believe they should adhere to media ethics.

Video:

Citizen Journalism On The Rise , THNKR , 2012.

<https://www.youtube.com/watch?v=MKLPkODHo64>

- However, if their work is published in the media, it can cause damages.
- One of the most striking examples for this was a report by an anonymous source, only identified as ‘johntw’, on CNN iReport on 3 October 2008 about Apple CEO Steve Jobs suffering a heart attack and being rushed to hospital.



- As there had already been concerns about Mr. Jobs's health, Apple's stock prices sank to a 17-month low within minutes of the posting.
- Only when the blog Silicon Valley Insider rectified the information after having checked it with an Apple spokesperson, who had strongly denied the report, was the story brought to a halt and Apple's stocks slowly recovered.



- The incident also damaged CNN iReport's reputation, although the site clearly states that only content marked 'CNN iReport' has been vetted.



- With Twitter, YouTube and other similar sites dominating the space of immediate, uncensored comment and video, many citizen journalism news websites have taken steps to become more professional and transparent.
- They have set up advisory boards, hired professional editors and laid down editorial guidelines, ensuring greater accuracy and credibility.



Reference :

Citizen Journalism: How the Internet is decentralizing information control

By Kenneth Oyeniyi 28 May 2024

<https://paradigmhq.org/citizen-journalism-how-the-internet-is-decentralising-information-control/>

Advocacy journalism

- Advocacy journalism is a genre of journalism that intentionally and transparently adopts a non-objective viewpoint, usually for some social or political purpose.
- It is intended to be factual, so that it is distinguished from propaganda.





- Some advocacy journalists reject that the traditional ideal of objectivity is possible in practice, either generally, or due to the presence of corporate sponsors in advertising.
- Some feel that the public interest is better served by a diversity of media outlets with a variety of transparent points of view, or that advocacy journalism serves a similar role to muckrakers or whistleblowers.

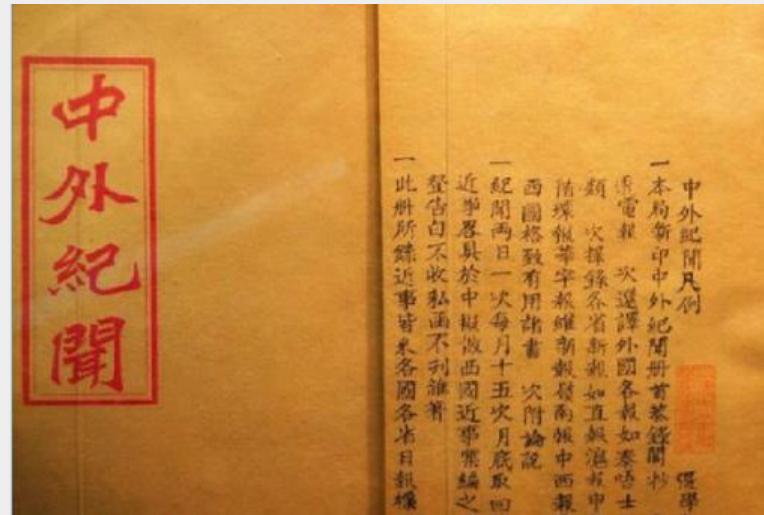


- This type of journalism takes the form of opinion pieces or columns rather than news stories.
- Generally, advocacy journalists have strong opinions on the issues they write about and use their platform to try to convince readers about their points of view.

History of Advocacy Journalism

- Advocacy media had its roots in the 19th century when newspapers were first used as a means of political propaganda.
- Launched in 1827, *Freedom's Journal* was the first-ever newspaper that was considered advocacy media.
- Muckrakers, such as Ida M. Tarbell, Ida B. Wells, and George Seldes, are often considered some of the most famous ancestors of modern advocacy journalists.

- In China, the Late Qing era some of the press were advocating new ideas and revolutionary thoughts, like 時報、循環日報、中外紀聞、時務報 etc.



What is the purpose of Advocacy Journalism ?

- To influence public opinion on a particular issue, including raising awareness about a topic, challenging dominant narratives, or promoting a specific point of view.
- While many people criticize this type of journalism for being biased, advocacy journalism is often used to advance social or political causes, such as poverty, racism, sexism, homophobia, environmental issues, and animal rights.

How “objective” is Advocacy Journalism ?

- Journalism has always been about giving a voice to the voiceless.
- It's about shining a light on the darker aspects of our society and holding those in power accountable.

- With so much information available online, it is suggested that it's more important than ever for journalists to sift through all of it and find the stories that need to be told.
- So advocacy journalism is not just about documenting the news but also giving the journalists' viewpoint on the situation.

Advocacy vs. Objectivity

- Critics state that advocacy journalism isn't necessarily objective.
- This is because advocacy journalists have their own personal experiences and perspectives that influence the way they see the world.

- Generally, objectivity covers hard news that doesn't convey feelings, points of view, or biases —they typically use neutral language and avoid judging the characters portrayed in the news.
- Objectivity means that when covering hard news, reporters don't convey their own feelings, biases or prejudices in their stories.
- They do this by writing stories using neutral language and by avoiding characterizing people or institutions either positively or negatively.

Advocacy Journalism Pros and Cons

- This journalism style can be both a positive and negative force in the world.
- While advocacy journalists often bring attention to important issues that might otherwise be ignored, they can also not be trusted entirely.
- Here are some advantages and disadvantages to adopting this approach.

Pros:

- Brings attention to important issues
- Challenges dominant narratives
- Promotes public debate





Cons:

- Biased and one-sided
- Used to advance narrow agendas

Examples of Advocacy Journalism

- This kind of journalism has become popular in recent years.
- However, some notable advocacy examples come right from the past.

- In 1913, the Congressional Union for Woman Suffrage founded *The Suffragist*, the only female political newspaper present at that time.
- In recent times, advocacy media can be seen in *The Washington Post's* Walter Reed stories.



Walter Reed and Beyond

A Washington Post investigation

Walter Reed and Beyond follows the care and treatment of the men and women who came home from battle in Iraq, Afghanistan and elsewhere. It examines the promises made, and the reality lived, in the aftermath of war.



Reflections on Advocacy Journalism

- In recent years, the rise of advocacy journalism has shown that people are hungry for representation.
- Although many critics judge them to be biased in their reporting, advocacy journalists are responsible for giving voice to the voiceless.

- Advocacy is important for the safety of human rights and the environment, it is important to note that it can be extremely rigid in the terms of fairness and objectivity.
- However, journalism organizations such as the American Society of Newspaper Editors and the Society of Professional Journalists, have created a code of ethics for journalists that is completely in opposition to advocacy journalism.



- This is because these organizations believe journalists should be as independent, impartial and able to acquire accurate content that is free from bias.
- From a reader standpoint, it is important the audience knows the accuracy of the writing is fair and not influenced by any third party.

- If the interpretation and analysis of the story's content is geared toward the journalist specific agenda, this can be considered propaganda which can lead to distrust from the public.

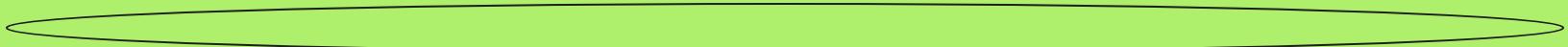


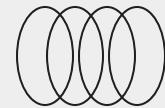
Reference : Advocacy Journalism Versus Good Journalism, by Christopher Trilleras, 22 September 2021.

https://envhumanities.sites.gettysburg.edu/environmentaljournalism_2021/week-4/advocacy-journalism-versus-good-journalism

Advocacy Journalism: How Objective Is It ? by Maria Pengue, letter.ly, 10 July 2022.

<https://letter.ly/advocacy-journalism/>

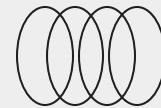




Checkbook Journalism

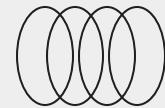
- Checkbook journalism is when reporters or news organizations pay sources for information, and for a variety of reasons most news outlets frown on such practices or ban them outright.





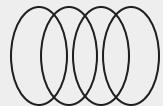
- The Society of Professional Journalists, a group that promotes ethical standards in journalism, says checkbook journalism is wrong and shouldn't be used—ever.
- Andy Schotz, chairman of the SPJ's ethics committee, says paying as information or an interview immediately puts the credibility of the information they provide in doubt.





- Schotzsays : "Exchanging money when you're looking for information from a source changes the nature of the relationship between the reporter and the source".
- "It calls into question whether they're talking to you because it's the right thing to do or because they're getting money."



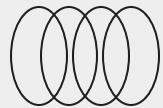


- News organizations not wanting to be scooped on a story might resort to checkbook journalism, but competition doesn't give you license to cross ethical boundaries.

Video : Checkbookjournalism' ,

CNN, 2014

<https://www.youtube.com/watch?v=Z3ojv4aiuuA>



Schotz' advice for aspiring journalists?

"Don't pay for interviews. Don't give sources gifts of any kind. Don't try to exchange something of value in return for getting a source's comments or information or access to them. Journalists and sources shouldn't have any other relationship other than the one involved in gathering news."

Examples :

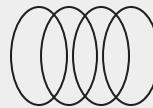
Forging Commitments for a Journalistic Morality

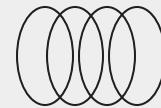
By Doreen Weisenhaus , 15 September 2003

A young reporter for Sudden Weekly magazine pays HK\$300 to a security guard to allow him to take unauthorized photographs of a film shoot of a hotly anticipated movie of a famous Hong Kong director.

While some might have been impressed with the reporter's initiative, Hong Kong prosecutors were not. They said the reporter broke the law. In August, he was sentenced to three months in jail after pleading guilty to offering bribes to the security guard. The following month, the security guard was sentenced to 10 weeks.

<https://app3.rthk.hk/mediadigest/content.php?aid=207>





- In HK, 陳健康事件, October 1998 , the man 陳健康 was paid HK\$ 5000. by a newspaper to “ repeated his wrongdoings “for taking photos.

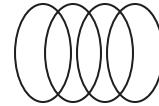


▲►蘋果自製有償新聞，當中陳健
康事件最轟動，成為新聞界之恥，
最後更要登報道歉



Australia's most memorable cases of chequebook journalism

By Emily Watkins 29 May 2018



Bob Hawke and Blanche D'Alpuget

The former PM and his now-wife told the story of their affair to Woman's Day in a memorable interview and photoshoot (in their bathrobes) for a reported \$200,000 in 1995.

<https://www.crikey.com.au/2018/05/29/australias-most-memorable-cases-of-chequebook-journalism/>

END

