

# Code of Ethics

for

# Namibian Media

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**A**ll members of the media have a duty to maintain the highest professional and ethical standards. This code sets the benchmarks for those standards. It both protects the rights of the individual and upholds the public's right to know.

The code is the cornerstone of the system of self-regulation to which the industry has made a binding commitment. Editors, publishers and broadcasters must ensure that the code is observed rigorously not only by their staff but also by anyone who contributes to their publications or broadcasts.

It is essential for the workings of an agreed code that it be honoured not only to the letter but also in the full spirit. The code should not be interpreted so narrowly as to compromise its commitment to respect the rights of the individual, nor so broadly that it prevents publication or broadcasting in the public interest.

It is the responsibility of editors, publishers and broadcasters to co-operate with the Media Ombudsman as swiftly as possible in the resolution of complaints.

Any publication or broadcaster which is found guilty by the Media Ombudsman under one of the following clauses must print or broadcast the adjudication which follows in full and with due prominence.

## **1. Accurate Reporting**

- 1.1 The media is expected to report news accurately without distorting the facts.
- 1.2 Every journalist is encouraged to engage in investigative journalism for the public good.
- 1.3 Every journalist shall use all reasonable means within his/her power to ascertain prior to publication or broadcast, the reliability of the contents of any article written or recorded by him/her for publication or broadcast. Due regard should be given to the possible negative effect to the subject of the article or broadcast.
- 1.4 A newspaper or broadcaster must report fairly, accurately and with due prominence the outcome of an action for defamation to which it has been a party.

## **2. Corrections**

Where it subsequently appears to the Editor that a report was incorrect in a material respect, it shall be rectified without reservation or delay. The rectification should be presented with such a degree of prominence and timing as may be adequate and fair so as to readily attract attention.

## **3. Right of Reply**

- 3.1 Provisions should be made for the right of reply to an aggrieved party, to protect an individual against verified factually incorrect statements that tarnish their reputation, dignity, honour, feelings and privacy and their office.
- 3.2 Newspapers, broadcasters or journalists are entitled to respond to a Right of Reply in

so far as to apologise and/or express regret the error or stand by the story, provided however that the aggrieved party be given sufficient opportunity to counter the response of the newspaper, broadcaster or journalist.

#### **4. Conflict of Interest**

The personal gain motive should not override media freedom, social responsibility and editorial freedom.

#### **5. Sources**

Every journalist shall observe confidentiality regarding any source of information and has a moral obligation to protect sources unless the person who gave him/her such information authorises the disclosure of his/her identity.

#### **6. General Reporting**

6.1 The media should strive to represent social reality in all its diversity, complexity and plurality, and shall strive to redress imbalances when reporting on women, children, minorities, the under-privileged and disabled persons.

6.2 The media should not without due care and sensitivity, present facts, opinions, photographs, graphics or scenes that depict or relate to brutality, sadism, salacity, violence, atrocity, drug abuse and obscenity except in the public interest.

6.3 In reporting or causing to be printed or broadcasted accounts of crimes or criminal cases, a journalist shall not –

- i. Identify underage victims of sex crimes (this shall not apply when an adult victim gives consent to be identified); or
- ii. identify any young person accused of a criminal offence who to his/her knowledge is underage; or
- iii. identify any person as being a relative of a person accused or convicted of a crime for the sole purpose of informing the reader or viewer of the relationship between the person so named, and the person charged, unless the public interest would be served by the publication or broadcast of such information.

6.4 A journalist shall not commit plagiarism.

6.5 A journalist shall not promote ethnic or religious discord or violence.

6.6 Journalists must avoid publishing or broadcasting details of a person's race, caste,

religion, sexual orientation, physical or mental illness or disability unless these are directly relevant to the story.

- 6.7 Even where the law does not prohibit it, journalists must not use for their own profit financial information they receive in advance of its general publication or broadcast, nor should they pass such information for the profit of others.
- 6.8 While a journalist is entitled to have his own political and other opinions, the newspaper or broadcaster must recognise and give due consideration to the opinions of others in the community.

## **PUBLIC INTEREST**

**There may be exceptions to the clauses marked \* where they can be demonstrated to be in the public interest.**

- 1. The public interest includes:**
  - i. Exposing crime or a serious misdemeanour.**
  - ii. Protecting public health and safety.**
  - iii. Preventing the public from being misled by some statement or action of an individual or organisation.**
- 2. In each case where the public interest is invoked, the Media Ombudsman will require a full explanation by the editor demonstrating how the public interest was served.**
- 3. In cases involving children, editors must demonstrate an exceptional public interest to override the normally paramount interest of the child.**

### **7. Privacy\***

Insofar as both news and comment are concerned, the media shall exercise exceptional care and consideration in matters involving the private lives and concerns of individuals, bearing in mind that the right to privacy may be overridden by a legitimate case of public interest.

### **8. Harassment\***

Journalists including photo-journalists must neither obtain nor seek to obtain information or pictures through intimidation or harassment.

### **9. Intrusion into grief or shock**

In cases involving personal grief or shock, enquiries should be carried out and approaches made with sympathy and discretion. Publication or broadcast must be handled sensitively at such times. But this should not be interpreted as restricting the right to report judicial proceedings.

#### **10. Listening Devices\***

Journalists must not obtain and publish or broadcast material obtained by using clandestine listening devices, secret filming or by intercepting private telephone conversations, correspondence (including electronic) and documents.

#### **11. Misrepresentation\***

- i) Journalists, photographers and camera men must not generally obtain or seek to obtain information through misrepresentation or deception.
- ii) Documents, photographs or video material should be removed only with the consent of the owner.
- iii) Misrepresentation or deception can be justified only in the public interest and only when material cannot be obtained by any other means.

#### **12. Dignity**

Every journalist shall safeguard the dignity of his profession.

#### **13. Payment for articles\***

- i) Payment or offers of payment for stories or information must not be made directly or through agents to witnesses or potential witnesses in current criminal proceedings, except where the material concerned ought to be published or broadcast in the public interest and there is an overriding need to make or promise to make a payment for this to be done.
- ii) Payment or offers of payment for video material, stories, pictures or information, must not be made directly or through agents to convicted or confessed criminals or to their associates – who may include family, friends and colleagues – except where the material concerned ought to be published in the public interest and payment is necessary for this to be done.
- iii) Journalists should not accept excessive gifts or freebies where it could compromise professional accountability.