

SCHEDULE 1
(Section 18(1))

MEDIA CODE OF ETHICS AND PRACTICE

Any reference to media or media organisations shall include a reference to any journalist, editor, publisher, producer or any employee, officer, servant or agent of any media organisation.

1. Accuracy, balance and fairness

- (a) Newspapers and magazines, radio and television broadcasting organisations, web sites and internet newsletters, and journalists working for them, shall report and interpret news and current affairs honestly. They shall aim to disclose all known relevant facts and shall take care not to publish material which is inaccurate, misleading or distorted by wrong or improper emphasis or any other factor.
- (b) If a significantly inaccurate, misleading or distorted statement is published or broadcast, it must be corrected promptly with due prominence and, where appropriate, an apology must be published or broadcast.
- (c) Media organisations must distinguish clearly between the news, comment, conjecture, fact and paid advertising.
- (d) Media organisations have a duty to be balanced and fair in their treatment of news and current affairs and their dealings with members of the public.
- (e) Editorial comments in any medium must be clearly identified as such and kept separate from news reports.
- (f) Media organisations shall report fairly, the result of any legal action brought against them and have an obligation to publish or broadcast, without diluting the finding, any adjudication by the Media Tribunal on a complaint made against them.

2. Opportunity to reply

Media organisations have an obligation to give an opportunity to reply to any individual or organisation on which the medium itself comments editorially.

3. Privacy

- (a) Publication, whether electronic or traditional, or broadcasting, of information, including pictures, about the private lives or concerns of individuals without their consent is acceptable only if a legitimate public interest outweighs their normal right to privacy.
- (b) Publishing such material and/or making inquiries about the private lives or concerns of individuals without consent is only justified where the material concerned ought to be published in the public interest, outweighing the normal right of privacy.

- (c) “In the public interest” is not synonymous with “of interest to the public”. The public interest relied upon to justify investigation must be serious and proper public interest and not mere curiosity. Entry into public life does not disqualify individuals from the right to privacy about their private affairs, except where the circumstances of these are likely to affect their performance of, or fitness for, the public roles they hold or seek.
- (d) The overriding public interest relied upon in this and other clauses of the Code may include—
 - (i) detection or exposure of crime;
 - (ii) protection of public health and safety; and
 - (i) preventing the public from being seriously misled on an important matter by a public statement or action of an individual or institution.

4. Harassment and pursuit

- (a) Media organisations must not seek interviews, information or pictures by intimidation or harassment. Nor should the media invade individuals’ privacy by deception, eavesdropping or covert technological means (including the taking of pictures in private places by long lens photography).
- (b) Information and picture gathering by such methods can be justified only in very rare circumstances where the material sought ought to be published or broadcast in the public interest and could not be obtained in any other way.

5. Subterfuge

Media organisations must use straightforward means to obtain information and pictures and must identify themselves when doing so. Use of subterfuge, false identity or covert recording can be justified only in rare circumstances where the material sought ought to be published in the public interest and could not be obtained in any other way. (See paragraph 3 above)

6. Discrimination

- (a) Media organisations shall avoid discriminatory or denigrating references to people’s gender, ethnicity, colour, religion, sexual orientation or preference, physical or mental disability or illness, or age.
- (b) Media organisations shall not refer to a person’s gender, ethnicity, colour, religion, sexual orientation, or physical or mental illness or age in a prejudicial or pejorative context except where it is strictly relevant to the matter reported or adds significantly to readers’, viewers’ or listeners’ understanding of that matter.
- (c) Media organisations shall be sensitive to and particularly careful about the possible effects of discriminatory references to vulnerable minorities in prejudicial or pejorative contexts.
- (d) While media organisations are free to report and comment on all matters of public interest, it is their duty not to publish or broadcast material in a form likely to promote or encourage communal hatred or discord.

7. Children

- (a) Media organisations shall not interview or photograph a child in the absence of, or without the consent of a parent or guardian or other adult responsible for the child.
- (b) Children shall not be approached by the media organisations, and shall not be interviewed or photographed at any school without the permission of school authorities and prior consent of the parents or guardian.
- (c) Publication without consent of material about a child's private life cannot be justified solely by the fame, notoriety or position of his or her parents.

8. Victims in sexual cases

- (a) Media organisations must not identify victims of sexual assaults or publish or broadcast material likely to contribute to their identification even when free by law to do so.
- (b) Media organisations shall not identify children either as victims or witnesses in cases alleging sexual offences.
- (c) Reports of cases alleging sexual offences against a child may identify an adult concerned, provided they are not related, but must not identify the child, and must not include facts which imply a close relationship between an accused adult and a child victim.
- (d) Where either party is identifiable, the word "incest" should not be used.

9. Sexual relations and conduct

When reporting or portraying sexual activity and conduct, media organisations must be keenly aware of the danger of publishing or broadcasting material that affronts or offends public decency or the likely audience or readership. Particular regard should be paid to the context of publication and time of transmission.

10. Crime

- (a) Crime and anti-social behaviour, especially involving violence, should not be glamorised or reported, portrayed or detailed in a manner which, on reasonable judgement would be likely to encourage or incite or experiment.
- (b) Media organisations must pay particular regard to the context, time of transmission and probable effect and the likely audience or readership of such items. Special attention must be paid to the likelihood of such material being read, seen or listened to by children.

11. Payments for articles etc

- (a) Payments or offers of payment must not be made directly or through agents to people engaged in or convicted of crime for information or articles related to their crimes, or for pictures whose value lies in their association with the crime. Nor should such payments or offers be made to associates of persons engaged in or convicted of crime, including their family, friends, neighbours and colleagues.

- (b) No payment or offer of payment shall be made directly or indirectly, to any person known to be, or reasonably expected to be, a witness in criminal proceedings, for information or articles in connection with the proceedings until after their conclusion.
- (c) Payment or an offer of payment as in subparagraph (a) or (b) may be justified in very exceptional circumstances where the information sought ought to be published or broadcast in the public interest and could not be obtained in any other way. (see paragraph 3 above)

12. Innocent relatives

Media organisations shall avoid identifying relatives of persons convicted or accused of a crime unless the connection is directly relevant to the matter reported.

13. Religion

- (a) While all public institutions are properly subject to scrutiny, inquiry and comment, media organisations shall approach and refer to religious bodies in a balanced, fair and sensitive manner, recognising the respect and reverence in which they, their representatives and their beliefs are likely to be held by adherents.
- (b) Journalists and broadcasters shall avoid intentionally giving offence to believers of all faiths by casual, gratuitous and expletive references to deities, which are unnecessary or unjustified by the context.
- (c) Recognition of the need for sensitive and balanced treatment of religions and religious affairs is necessary.

14. Strong language

Media organisations shall avoid gratuitous use of strong swear words or obscene or blasphemous language in copy or broadcasts. Publication or broadcasting of these in direct form can be justified only in rare cases when it is essential to readers or audiences understanding of the story reported or the dramatic development of a programme. In such cases care must be taken in choosing the context and scheduling of the material concerned to avoid unnecessarily causing offence to its likely readers or audience

15. Grief and bereavement

Media organisations shall respect personal grief, taking care to make any necessary approaches and inquiries with sensitivity and discretion.

16. Advertising

Advertisements and advertiser-sponsored materials must be clearly distinguishable from general editorial and programme matters, where necessary by being clearly labelled in print or on air as “advertisement”, “advertising feature” etc

17. Personal interest and influences

- (a) Media organisations shall not allow personal or family interest to influence them in their professional duties. There will be occasions where journalists

may be pressured by close associates about a story. At all times the journalist must make their editor, or supervisor, aware of such pressure.

- (b) Media organisations shall not accept any consideration, gift or advantage offered to them, or by advertising or other commercial considerations. At all times the journalist must make their editor or supervisor aware of such an offer.
- (c) There will be occasions when journalists will be asked to cover assignments where the journalist may have a conflict of interest or a personal interest. In such cases the journalist must make their editor or supervisor aware of such a conflict.

18. Financial journalism

- (a) Media organisations shall not use for their own, or their families' profit, directly or indirectly, financial information received in their professional capacity in advance of its general publication.
- (b) Media organisations must not write or broadcast about shares or securities in which they or their families have an interest in without disclosing the interest to their editor (or financial editor) and, where appropriate, to their readers or audience.
- (c) Media organisations shall not buy or sell shares or securities about which they have written recently or which they intend to write about in the near future.

19. Confidential and other sources

- (a) Journalists of all media organisations have an obligation to protect confidential sources of information, and to respect confidences knowingly and willingly accepted in the course of their occupation.
- (b) Plagiarism is not acceptable. If material originally prepared by another medium is used, credit should be given to the originator of the item or story.

20. Taste and decency

Media organisations shall recognise socially accepted general standards of decency and taste in language and behaviour, bearing in mind the context in which the language and behaviour occur (including humour, satire and drama) and, for broadcasters, the timing of transmission and likely audience of the programme.

21. Impartiality and balance

Media organisations shall show fairness at all times, and impartiality and balance in any item or programme, series of items or programmes or in broadly related articles or programmes when presenting news which deals with political matters, current affairs and controversial questions.

22. Deceptive practices

Media organisations shall abstain from use of any deceptive practice or technique (including transmission or publication of 'reconstructions' or library pictures, film and recordings which

are not clearly identifiable as such) which may diminish viewers' and listeners' or readers' confidence in the integrity of media.

23. Interviews

- (a) Interviews for print, electronic media, radio and television must be arranged, conducted, and edited fairly and honestly. Potential interviewees are entitled to know in advance the format, subject and purpose of their interview, whether it will be transmitted live or recorded, when it will be printed or broadcast, whether it may be edited, and whether only part of it may be used, or it may not be used at all.
- (b) They are also entitled to know in advance the identity and roles of other people likely to be interviewed at the same time or on the same subject for the same programme or article.
- (c) The presentation and editing of an interview must not distort or misrepresent the views of the interviewee or give a false impression of dialogue or the pretence that a recorded interview is being transmitted live.

24. Violence

- (a) Violence shown graphically or realistically indicated by sound must be justifiable in its context and intensity as being necessary to the programme or article.
- (b) Violence combined with sexuality should not be printed, broadcast or transmitted in a manner designed to titillate its audience.
- (c) Explicit detail and prolonged focus on sexually violent contact must be avoided.

25. Distressing material

- (a) Editors, producers and broadcasters of news, current affairs and documentary programmes and articles shall take particular care in deciding whether the inclusion of graphic detail and intensity of violent or distressful material is warranted by its relevance and add to public understanding of the subject.
- (b) Special consideration must be given before publication or transmission of particularly disturbing images, including—
 - (i) Torture or ill-treatment of people or animals;
 - (ii) Close-ups of dead or mutilated bodies;
 - (iii) Images of people in extreme pain or on the point of death; and
 - (ii) Violence to or ill treatment of children.

26. Warning of disturbing or offensive material

Warnings shall be published or broadcast before or at the beginning of any article or broadcast containing language or pictures which are likely to be disturbing or offensive to normal readers, viewers or listeners bearing in mind for broadcasters the time of transmission, channel or wavelength and the likely audience.

27. Dangerous and anti-social detail

Detailed pictures or information about methods of incendiary devices, or illicit use of drugs or solvents must not be transmitted in a way which might encourage or instruct such actions.

28. Crime and disorder

Programmes or articles likely to promote civil insurrection or encourage crime or public disorder must not be broadcast or published.

29. Hijacking and kidnapping

No information shall be published or broadcast which is likely to endanger lives in, or prejudice attempts to deal with, a hijack or kidnapping.

30. Alarm, hypnotism and subliminal perception

Media organisations must refrain from publishing or broadcasting, except as legitimate entertainment or information, any material which, when considered whole—

- (i) Simulates news or events in print, sound or pictures in such a way as to mislead or alarm its audience;
- (ii) Depicts the process of putting a subject into a hypnotic state or is designed to induce a hypnotic state in its audience;
- (iii) Uses “subliminal perception” or any similar technique to try to convey information by transmission of messages below or near the threshold of normal awareness; or
- (iv) In an ostensibly factual programme or article depicts or demonstrates exorcism, psychic or occult practices other than as the subject of a legitimate investigation.

31. Cartoons

Cartoons, particularly when likely to be seen by children, should not include excessive violence especially when they feature human characters and follow realistic story lines as opposed to obviously fantastic or farcical themes.

32. Supplied material

Where a strong editorial reason warrants the inclusion in any article, programme or video or other recorded material supplied by or on behalf of official bodies, commercial companies or campaigning organisations, its source should be clearly labelled in print or on air in sound or vision.

33. Product placement and reference

When media organisations choose to place commercial or other products or promotional material on air or in print in a programme or article context, it shall be a clear policy that the commercial or other organisation thus identified has no influence on the content of the programme or article unless specifically publicised as such.

34. Competition fair dealing

Media organisations will ensure that in programmes or published competitions there is no collusion between broadcasters or publishers and contestants which results in the favouring of any contestant or contestants over others.