

MEDIA CODES OF CONDUCT

The Print Media Industry has set up the office of the Press Ombudsman and an Appeal Panel to mediate, settle and, if necessary, adjudicate complaints about what has been published in newspapers and magazines, in accordance with a Code and Rules of Procedure.

The office is funded by the newspaper and magazine industries and its authority rests on the commitment of publishers and editors to respect its rulings and to adhere to the Press Code of Professional Practice.

The principle of press self-regulation was introduced in South Africa in 1962 and has been accepted for more than 40 years.

For any update to the Press Code of Professional Practice and information on recent decisions and judgments please go to <http://www.ombudsman.org.za>

Press Code of Professional Practice

(updated August 2006)

Preamble

The basic principle to be upheld is that the freedom of the press is indivisible from and subject to the same rights and duties as that of the individual and rests on the public's fundamental right to be informed and freely to receive and to disseminate opinions.

The primary purpose of gathering and distributing news and opinion is to serve society by informing citizens and enabling them to make informed judgments on the issues of the time. The freedom of the press to bring an independent scrutiny to bear on the forces that shape society is a freedom exercised on behalf of the public.

The public interest is the only test that justifies departure from the highest standards of journalism and includes:

- a. detecting or exposing crime or serious misdemeanor;
- b. detecting or exposing serious anti-social conduct;
- c. protecting public health and safety;
- d. preventing the public from being misled by some statement or action of an individual or organisation;
- e. detecting or exposing hypocrisy, falsehoods or double standards of behaviour on the part of public figures or institutions and in public institutions.

The code is not intended to be comprehensive or all embracing. No code can cover every contingency. The press will be judged by the code's spirit--accuracy, balance, fairness and

decency--rather than its narrow letter, in the belief that vigilant self-regulation is the hallmark of a free and independent press.

In considering complaints the Press Ombudsman and Appeal Panel will be guided by the following:

1. Reporting of News

- 1.1 The press shall be obliged to report news truthfully, accurately and fairly.
- 1.2 News shall be presented in context and in a balanced manner, without an intentional or negligent departure from the facts whether by:
 - 1.2.1 distortion, exaggeration or misrepresentation;
 - 1.2.2 material omissions; or
 - 1.2.3 summarisation.
- 1.3 Only what may reasonably be true having regard to the sources of the news, may be presented as facts, and such facts shall be published fairly with due regard to context and importance. Where a report is not based on facts or is founded on opinions, allegation, rumour or supposition, it shall be presented in such manner as to indicate this clearly.
- 1.4 Where there is reason to doubt the accuracy of a report and it is practicable to verify the accuracy thereof, it shall be verified. Where it has not been practicable to verify the accuracy of a report, this shall be mentioned in such report.
- 1.5 A newspaper should usually seek the views of the subject of serious critical reportage in advance of publication; provided that this need not be done where the newspaper has reasonable grounds for believing that by doing so it would be prevented from publishing the report or where evidence might be destroyed or witnesses intimidated.
- 1.6 A publication should make amends for publishing information or comment that is found to be inaccurate by printing, promptly and with appropriate prominence, a retraction, correction or explanation.
- 1.7 Reports, photographs or sketches relative to matters involving indecency or obscenity shall be presented with due sensitivity towards the prevailing moral climate.
- 1.8 The identity of rape victims and victims of sexual violence shall not be published without the consent of the victim.
- 1.9 News obtained by dishonest or unfair means, or the publication of which would involve a breach of confidence, should not be published unless there is a public interest.
- 1.10 In both news and comment, the press shall exercise exceptional care and consideration in matters involving the private lives and concerns of individuals, bearing in mind that any right to privacy may be overridden by a legitimate public interest.
- 1.11 A newspaper has wide discretion in matters of taste but this does not justify lapses of taste so repugnant as to bring the freedom of the press into disrepute or be extremely offensive to the public.

2. **Discrimination**

- 2.1 The press should avoid discriminatory or denigratory references to people's race, colour, ethnicity, religion, gender, sexual orientation or preference, physical or mental disability or illness, or age.
- 2.2 The press should not refer to a person's race, colour, ethnicity, religion, gender sexual orientation or preference, physical or mental illness in a prejudicial or pejorative context except where it is strictly relevant to the matter reported or adds significantly to readers' understanding of that matter.
- 2.3 The press has the right and indeed the duty to report and comment on all matters of public interest. This right and duty must, however, be balanced against the obligation not to promote racial hatred or discord in such a way as to create the likelihood of imminent violence.

3. **Advocacy**

A newspaper is justified in strongly advocating its own views on controversial topics provided that it treats its readers fairly by:

- 3.1 making fact and opinion clearly distinguishable;
- 3.2 not misrepresenting or suppressing relevant facts;
- 3.3 not distorting the facts in text or headlines.

4. **Comment**

- 4.1 The press shall be entitled to comment upon or criticise any actions or events of public importance provided such comments or criticisms are fairly and honestly made.
- 4.2 Comment by the press shall be presented in such manner that it appears clearly that it is comment, and shall be made on facts truly stated or fairly indicated and referred to.
- 4.3 Comment by the press shall be an honest expression of opinion, without malice or dishonest motives, and shall take fair account of all available facts which are material to the matter commented upon.

5. **Headlines, posters, pictures and captions**

- 5.1 Headlines and captions to pictures shall give a reasonable reflection of the contents of the report or picture in question.
- 5.2 Posters shall not mislead the public and shall give a reasonable reflection of the contents of the reports in question.
- 5.3 Pictures shall not misrepresent or mislead nor be manipulated to do so.

6. **Confidential sources**

A newspaper has an obligation to protect confidential sources of information.

7. Payment for articles

No payment shall be made for feature articles to persons engaged in crime or other notorious misbehaviour, or to convicted persons or their associates, including family, friends, neighbours and colleagues, except where the material concerned ought to be published in the public interest and the payment is necessary for this to be done.

8. Violence

Due care and responsibility shall be exercised by the press with regard to the presentation of brutality, violence and atrocities.