

# INDEPENDENT MEDIA COUNCIL OF UGANDA

## JOURNALISM CODE OF ETHICS

**Media Practitioners in Uganda developed a code of ethics to govern their conduct and as a basis for adjudication of disputes between them and the public.**

**Below is the code in full:**

### **PREAMBLE**

We the media practitioners in Uganda:

**Conscious** of the central role of the press freedom in a free and democratic Uganda;

**Aware** that an independent and honourable profession is indispensable to the maintenance of press freedom;

**Recognising** our role in the preservation of democracy in Uganda;

**Aware** of our professional responsibilities requiring us to maintain highest standards of professional conduct;

**Resolve** to have this Code of Ethics to govern the conduct and practice of all media practitioners, media owners and media institutions and as a basis for adjudication of disputes between the press, the public and government in Uganda by the Independent Media Council of Uganda.

### **1. Scope**

This code shall apply to media practitioners involved in all stages of sourcing, processing media content for print, graphic and electronic platforms.

### **2. Professional Integrity**

2.1 A journalist shall assist and participate in establishing, maintaining, enforcing and observing high standards of conduct so that the integrity and independence of the profession is preserved.

2.2 A journalist shall always identify him/herself and the media house where he/she works. Use of undercover or subterfuge methods to gain entry into restricted places or access to information shall be done only as matter of public interest and with the permission of the editor.

2.3 A journalist shall not tape or record anyone without the person's knowledge. An exception may be made only if the recording is necessary to protect the journalist in a legal action or for some other compelling reason.

2.4 A journalist shall not solicit, accept bribes or any form of inducement meant to bend or influence professional performance. However, facilitation by third parties to enable a journalist to perform a bonafide assignment in specific situations shall not be deemed as an inducement provided that the assigning editor sanctions such facilitation.

### **3. Conflict of Interest**

3.1 A journalist shall always declare to the editor any conflict of interest that arises in the execution of duty and from such assignment to avoid the conflict.

3.2 A journalist shall endeavour to remain free of associations and activities that compromises personal integrity or undermines the reputation of the profession.

### **4. Accuracy, Fairness and Balance**

4.1 A journalist has the responsibility for the accuracy of the information he/she disseminates. The journalist shall also ensure that such information is fair and balanced. Journalists shall not indulge in unfair comment, falsification, distortion or misrepresentation of facts.

4.2 A journalist and the employing media house shall endeavour to thoroughly investigate allegations affecting individuals and institutions before disseminating them.

4.3 In the spirit of fairness and balance, the journalist shall endeavour to seek and include comment from the affected individuals or institutions in the same story or as quickly as practicable. Fairness shall also include reporting facts in the proper context. Where the affected party declines to comment or where the media house genuinely tries but fails to extract a comment, such position shall be explained in the story published or broadcast.

4.4 Whenever it is recognised that an inaccurate, misleading or distorted story has been published or broadcast, it shall be corrected or clarified promptly, without waiting for a complaint to be raised first.

4.5 Corrections should also be reasonably proportional to the error in terms of impact.

4.6 Corrections shall be clear and shall carry an apology to affected parties. For purposes of clarity, corrections shall apply to errors of fact and inaccuracies while clarifications shall apply to misleading or distorted information.

### **5. Right of Reply**

5.1 Media houses shall accord aggrieved parties the right of reply to material published or broadcast about them.

5.2 Journalists shall distinguish clearly in their reports between comment, conjecture and fact. News shall remain objective but a journalist may be partisan in commentaries and opinion pieces.

5.3 A comment shall be a genuine expression of opinion relating to fact. Comment or conjecture shall not be presented in such a way as to create the impression that it is an established fact.

## **6. Social responsibility**

6.1 A journalist shall, in the dissemination of information, bear in mind his/her responsibility of educating and informing the public on matters affecting them and their responsibility in society. The journalist's responsibility shall include monitoring government and other centres of influence and power on behalf of the public; and this responsibility shall not be abused for whatever reason.

6.2 A media practitioner shall at all times defend the principle of the freedom of the press and other mass media by striving to eliminate unjustified news suppression and censorship.

## **7. Respect for privacy and human dignity**

7.1 The public's right to know shall always be weighed vis-à-vis the individual's right to privacy.

7.2 Publications about the private lives of individuals, without their consent, are not acceptable except where public interest overrides the right of privacy.

7.3 It is justified to publish information about individuals where this is for: detecting or exposing criminal conduct; detecting or exposing seriously anti-social conduct; protecting public health and safety; and preventing the public from being misled by some statement or action of that individual where such a person is doing something in private which he or she is publicly condemning.

7.3 Journalists shall seek to understand the boundaries of public and private space. In this regard, journalists can legitimately report about activities of individuals in a public place but not in a private environment.

## **8. Letters to the Editor**

8.1 For purposes of the Code, Letters to the Editor shall include normal letters sent physically or electronically.

8.2 An editor who decides to open columns on a controversial subject is not obliged to publish all the letters received in regard to that subject. The Editor may select and publish only some of them either in their entirety or the gist thereof. The Editor shall, however, present a fair balance between the pros and cons of the principal issue and reserve the discretion to decide at which point to close the debate.

8.3 In case of radio and TV discussion programmes, hosts shall make reasonable effort to reach out for comment from persons mentioned. Hosts shall also encourage and balance comments from the audience sent by any of the modern means of interactivity.

## **9. Plagiarism**

9.1 No media practitioner shall engage in plagiarism. Plagiarism consists of making use of another person's material or ideas without proper acknowledgement and attribution of the source of those ideas or material.

9.2 Words directly quoted from sources other than the writer's own reporting shall be attributed. In general, when other work is used as the source of ideas for stylistic inspiration the final report shall be clearly different from the original work.

9.3 The editor shall take final responsibility to ensure that published or broadcast content in stories or programs does not contain plagiarised material and that any borrowed content is properly attributed to the rightful author.

## **10. Non-disclosure of sources**

10.1 A journalist shall protect the confidentiality of his/her sources of information and shall only divulge them at the demand of a competent court of law.

10.2 Journalists shall follow the in-house rules and get the editor's consent before granting confidentiality. Once such confidentiality has been granted, both the journalist and the media house shall honour it. It shall be the ultimate responsibility of the Editor to ensure that such protection is granted and guaranteed.

10.3 In order to have the clarity of mind and the confidence, the editor, being the final editorial authority, shall have liberty to demand of the journalist the source of the story. But the editor shall under no circumstances disclose the said sources to a third party.

10.4 The Editor shall also have the privilege to reject use of any story where he/she doubts the journalist's sources.

10.5 For the sake of the integrity and security of the profession, journalists shall not allow to be used as Police witnesses in the investigation of crime simply because the journalists covered the events where such crime was allegedly committed. Such compliance would erode the trust the public holds in the profession of journalism.

## **11. Intrusion into grief**

11.1 Journalists shall not intrude into personal grief. Stories and pictures that may aggravate grief or cause distress to relatives and friends of the dead shall not be published. Any reports about the dead and gravely

ill shall be carried out with utmost discretion and due sympathy.

11.2 Journalists and media houses shall not profiteer from deliberate exploitation of the misfortune of those afflicted by grief. The media shall also avoid re-use of file pictures of situations of death and grave illnesses of persons likely to resurrect distress among relatives and friends.

## **12. Innocent relatives and friends**

12.1 The media shall generally avoid identifying relatives or friends of persons convicted or accused of crime unless the reference to them is necessary for the full, fair and accurate reporting on the crime or legal proceedings and where such identification adds value to the story.

## **13 Victims of sex crimes**

13.1 Media Institutions shall not identify victims of sexual assaults or publish or broadcast material likely to contribute to such identification unless the victims have given informed consent to such publications.

13.2 A journalist shall endeavour to explain to the concerned person the implications of such disclosure. In cases where consent is given subject to certain conditions, then such conditions shall be respected.

13.3 The journalists need to understand that ordinarily such publication does not serve any legitimate journalistic or public need and may bring social opprobrium (public disgrace and shame) to the victims and social embarrassment to their relations, family, friends, community, religious order or the institutions to which they belong.

13.4 Children shall particularly not be identified as victims, however remotely.

## **14. Protection of children**

14.1 Children shall not be identified in cases concerning sexual offences, whether as victims, witnesses, or defendants.

14.2 Except in matters of public interest, e.g. cases of child abuse or abandonment, journalists shall not normally interview or photograph children on subjects involving their personal welfare in the absence of, or without the consent of a parent or other adult who is responsible for the children.

14.3 Children shall not be approached or photographed while in a formal institution without the permission of the institution's authority.

## **15 Children in criminal cases**

15.1 Media institutions shall not publish or broadcast the names of any underage offenders (below 18 years) arrested by Police or tried in the criminal courts. Where such identification must be made, the media house shall explain the overriding reasons that led to such an editorial decision.

## **16 Publication of adults-only material**

16.1 Out of respect to values of common decency, the media shall take extra care when dealing with adults-only material.

16.2 A media house, which publishes or broadcast adults-only material, shall ensure such material is not accessible to the underage (minors) and shall provide restricted places or time where willing adults can access such material.

16.3 Television stations shall also schedule adult movies later at night when children are in bed. Such programs shall be properly labelled with appropriate advisories including in the TV schedules published in newspapers.

16.4 Radio stations shall air adults-only programs late at night when children are in bed and they shall make appropriate promotional advisories to that effect.

## **17 Use of pictures**

17.1 The Media must exercise due caution when using pictures. Choice and use of pictures should not cause unnecessary harm to persons concerned e.g. exploiting minors and people with disabilities. Special care shall be taken when using pictures of disasters.

17.2 The use of grisly, grotesque and gruesome pictures should be avoided except where there is overriding public interest. Illustrations accompanying stories of adult material shall be measured both in content and in caption.

## **18 Hatred**

18.1 Media Institutions shall not publish or broadcast material that is intended or is likely to cause hostility or hatred towards persons on the grounds of their race, ethnic origins, nationality, religion or political affiliation.

18.2 Media institutions shall take utmost care to avoid contributing to the spread of ethnic hatred when reporting events and statements of this nature.

18.3 Media shall endeavour to regulate and balance debate and discussion of sensitive issues, like corruption, nepotism, favouritism so that they do not degenerate into hate literature.

## **19. Disadvantaged and marginalized groups**

19.1 The media shall not publish material that is intended to ridicule, or impute ridicule of persons on grounds of their gender or physical disabilities.

19.2 The media shall also take steps to ensure that content for publication or broadcast, including paid-for content, is free of such contemptuous material.

## **20 Covering conflicts**

20.1 The media shall exercise a high sense of individual and corporate citizen responsibility when covering conflict and while commenting on sectarian disputes. Covering conflict shall be done in a manner that is conducive to the creation of an atmosphere congenial to national harmony, amity and peace.

20.2 News, views and comments shall be backed by facts and measured in language and tone. But it shall be the responsibility of the media to highlight potential conflicts before they explode and seek to help society heal wounds after conflict.

## **21. Undue pressure or influence**

21.1 Media owners, publishers and practitioners shall not suppress or distort information about which the public has a right to know because of undue pressure or influence from commercial, political or social interest.

## **22. Payment for Information**

22.1 Media Owners, Publishers and Practitioners shall not publish, broadcast or suppress an editorial report or omit or alter vital facts in that report in return for payment of money or for any other gift or reward.

22.2 This ethic shall, however, not apply to advertisements or advertorials. Media houses shall clearly distinguish between editorial content and advertisements or advertorials.

22.3 Media owners, publishers and media practitioners shall not pay people to act as information sources unless there is demonstrable public interest value in the information

## **24 Advertisements**

24.1 The media shall strive to preserve the sanctity and impartiality of news. As such media houses shall not allow news bulletins to be sponsored.

24.2 Journalists shall always be seen to remain independent and shall not dress in corporate branded wear when presenting programs or covering sponsored events.

How does the Council handle complaints?

## **1. Lodging a complaint**

1.1 Any person or organization may lodge a complaint regarding ethics against a media house, news agency or individual journalist.

1.2 An organization may submit a complaint on behalf of an individual but must prove that it has been authorized by the person or organization complaining unless a person is minor or has been incapacitated.

1.3 The complainant will fill in a Complaints Form and submit it by hand or email to the offices of the Council or any other officer or organization authorized by the Governing Board to receive complaints on its behalf.

1.4 Where applicable the complainant or his/her agent shall furnish the Council with a copy of the item(s) the complaint is about.

1.5 Verbal complaints or those made through telephone calls will not be accepted

## **2. Management of complaint(s)**

2.1 Upon receipt of the complaint the Executive Secretary will:

(i) verify whether the complaint is within the mandate of the Council

(ii) record it in the Complaints Register and immediately issue the complainant reference

(iii) verify whether the complaint is clear

2.2 In case the complaint is not clear the Executive Secretary shall endeavor to contact the complainant for more information.

2.3 Upon studying the complaint the Executive Secretary shall forward it to the chairperson of the Ethics Committee to determine if it merits adjudication or not.

2.4 Where a complaint does not merit adjudication, the Executive Secretary will communicate to the complainant at the earliest time possible stating the reasons why the complaint does not merit adjudication.

2.5 If the complainant is not satisfied with the reasons given, the matter will be referred to the Ethics Committee of the Council for consideration

2.6 For a complaint which deserves adjudication, the secretariat will write to the respondent drawing their attention to the complaint and requesting them to resolve the matter amicably outside the Council adjudication.

2.7 The Executive Secretary will avail the complainant with a copy of correspondence.

2.8 The respondent must respond within one week of receipt of the letter from the Council indicating whether they would resolve the matter outside the Council adjudication or not.

2.9 The reply from the respondent will be forwarded to the complainant as soon as possible.

### **3. Handling a complaint**

3.1 When the two parties fail to agree to settle the matter outside the Council the Executive Secretary will prepare a summary on the matter, append the relevant correspondences and forward to the Ethics Committee with a proposed date of adjudication.

3.2 The Executive Secretary may make recommendations on the decision the Ethics Committee may take.

3.3 The Executive Secretary will as soon as possible inform both parties in writing when, where and at what time the adjudication session will take place.

3.4 The Ethics Committee will as soon as possible but not later than 14 days on receipt of the summary adjudicate on the matter.

3.5 The adjudication session will be public except in special circumstances as the Council may determine.

3.6 Legal representation in the adjudication process will not be allowed.

### **4. Decision of the Ethics Committee**

4.1 If the Ethics Committee is satisfied that:

(i) the Journalism Code of Ethics was breached it will declare that the respondent breached the code of conduct

(ii) the Journalism Code of Ethics was not breached it will declare that the respondent did not breach the code of conduct.

(iii) the Journalism Code of Ethics was breached it may criticize the respondent for breaching the code of conduct.

### **5. Publication or broadcast of the decision of the Ethics Committee**

5.1 In case of a breach of the Journalism Code of Ethics the respondent will be required to print/broadcast/telecast the decision of the Council a statement of which will be issued by the Secretariat at the end of the adjudication session.

5.2 The respondent will be required to accord the Council's statement the necessary prominence.

5.3 Where it is found that the respondent did not breach the Journalism Code of Ethics the respondent will be under no obligation to print/broadcast/telecast the decision of the Ethics Committee.

5.4 The decisions of the Council shall not be used as evidence in the Courts of law.

Some of the material in this booklet has been adopted from: *Imperfect Freedom: The case for self regulation in the Commonwealth Press and Eastern Africa Media Institute - Uganda Chapter Report of the media Law Reform Committee on a non statutory Media Council.*

