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# Media Ethics: Tales of Style and Substance

**Recent high level attention to media ethics by two major outlets displayed some of the best and worst features of self-regulation.**

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## Case 1

Media ethics 'arrived' on commercial television on 21 November 1993 when *60 Minutes* devoted its 15th anniversary program to the issue. For this, at least, the Nine Network deserves credit.

But the most striking impression of the program, and of the two-hour studio debate from which it was distilled, was of the shallow thinking which many senior media people displayed.

Granted honourable exceptions, the majority seemed never seriously to have considered the clash of legitimate interests inherent in deciding ethical questions. If they have, their conclusion seems to be that the disclosure interest trumps all others every time. Why? Because, by gee, it's a competitive business, that's why.

Sure, some were also willing to call in aid something more solid than market forces. The watchdog role of the Fourth Estate, for instance. But this was chanted in response to every complaint, without apparent willingness to discern between its vital importance in supporting, say, exposure of corruption in Queensland and its irrelevance in justifying, say, a spot of tabloid TV about fat thighs. Most cynically, the 'right to know' was offered as justification for the infliction of further suffering on people recently be-reaved in spectacularly tragic circumstances.

It debases the precious traditions of journalism to use them to deflect criticism from those appalled by what amount to high-tech freak shows. (John Howard called such television a kind of voyeurism). And it wastes the credibility and goodwill necessary to fend off those who would limit and punish the best journalism.

This is not an argument for an unremitting diet of worthy programming imposed by an elite that wants everyone to view with furrowed brow and gnashing teeth. Journalism, like life, has always had a place for the funny, the odd and the trivial. But they are just that, not disclosures important to the functioning of a democratic society. They will rarely if ever justify compounding the suffering of the grief stricken, or beaching privacy or risking lives. Journalism in genuine public service, however, might.

Yes, there are grey areas. Yes, the price of free speech is the abuse of it. But the central point is that there are ethical judgments to be made, discretions to be exercised

with regard for principles and people. Even that much did not seem to be acknowledged by some at the *60 Minutes* debate.

There was a troubling unwillingness to recognise error and excess. Even direct intervention in sieges to interview hostages, including children, and/or their captors was defended, partly on the grounds that one interviewer had years of experience dealing with people as diverse as the Pope and Neddy Smith.

Bear in mind that such comments were being made, not at a self-congratulatory industry lunch, but for a prime-time national television program about media accountability. You might therefore have expected particular attention to be paid to the quality of the windowdressing.

It was a mixed blessing that the arrogant vacuity of some was such that they saw no need for more sophisticated cant. Viewers could be depressed at the attitudes of some of the people who occupy what Henry Mayer once called the modern pulpit. If these were the leading shepherds, it explained better the behaviour of some of their sheepdogs.

On the positive side, viewers could make a rare assessment of the capacity for ethical decision-making among some of the people who daily urge their audiences to make moral judgments about those who are depicted on their programs.

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## Case 2

In striking contrast to the *60 Minutes* episode was the publication in November of a 'professional practice policy' by the editor-in-chief of the *Herald and Weekly Times*, Steve Harris.

It reflects careful thinking from first principles to the details of ethical conduct. The necessity to balance competing interests is acknowledged and some of the most ticklish issues are treated.

Of course, the proof will be in the enforcement, but the policy alone is a useful educative tool. It is timely too; early next year the Senate Inquiry into the Rights and Responsibilities of the Media will turn to the terms of reference on journalistic ethics and disciplinary procedures.

Harris, founding editor of the *Fairfax Sunday Age*, took over the News Corporation Victorian flagship *Herald-Sun* from Piers Ackerman last year.

The policy 'applies to all editorial staff, whether management or staff, union or non-union members, permanent

*Continued on page 5 ...*



... Continued from page 4

and casual staff and contributors'. It begins with declarations of principle and states that the public interest is the only test that may occasionally justify departure from the standards later set out. Interestingly, the public interest is in part itemised to include:

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

Over eight pages, the policy lays down detailed standards on 18 topics. Only the essence of each is reported here and interested readers should get the whole document.

## Areas Covered

**Accuracy** - includes fair opportunity for reply.

**Comment and fact** - distinguish clearly between comment, verified fact and speculation.

**Misrepresentation, deceptive and illegal practices** - presumption against; in cases where public interest may justify subterfuge, decision-makers 'should ask themselves whether the decision to deceive has been discussed as thoroughly and broadly as feasible and whether readers and staff members will tend to agree that the story justified the deception'.

**Confidentiality** - presumption of disclosure of sources, but where confidentiality promised there is an obligation to protect 'at all costs'.

**Harassment** - 'you should not persist in telephoning, following or questioning individuals after you have been asked to stop'.

**Discrimination** - usual prescriptions, but also 'avoid participation in and membership of clubs and associations which have discriminatory membership policies'.

**General privacy** - avoid needlessly identifying relatives of convicted criminals.

**Grief and trauma** - treat everyone, including public figures, with sensitivity and courtesy; don't exploit ordinary people who are ignorant of journalistic practice: if you feel at any time that ordinary citizens may not be aware of the import of what they are saying, discuss this with them and give them the opportunity to withdraw any such remarks; consider victims and families when republishing material on anniversaries of crimes or trauma.

**Reporting destructive and self-destructive behaviour** - take care when reporting suicide, extortion threats, drug use and weaponry.

**Interviewing Children** - emphasis on consent and/or presence of responsible adult.

**Payment for information** - generally, don't pay (especially criminals and witnesses) except where publication is in the public interest and there is no alternative.

**Conflict of interest** - link to credibility, and the fact/perception problem is acknowledged; freebies not proscribed, but emphasis on notification of supervisors, decision on acceptance by supervisors; written declaration of independence to suppliers and disclosure to readers.

'Failure to advise a real or potential conflict of interest will result in immediate suspension'.

**Financial reporting** - no insider trading

**Advertising** - 'Any editorial material that is generated as a condition of the placement of an advertisement must be labelled as an advertising feature. Wherever possible stories that are critical of, or adversely affect, an advertiser should not be carried on the same page as that advertiser's advertisement'.

**Plagiarism** - it's unacceptable and reporters have a responsibility to tell supervisors about 'any stories which are ostensibly retyping of publicity material'.

**Image manipulation** - photographs must be true and accurate; computer images and illustrations should be described and not mislead readers.

**Interview with staff** - refer requests from policy and other authorities for interviews on work matters to supervisors.

**Promises to publish** - don't undertake to publish anything without reference to supervisor. □

Paul Chadwick

