



MEDIA COUNCIL OF MALAWI (MCM)
MALAWI MEDIA CODE OF ETHICS AND PROFESSIONAL CONDUCT

 **DW Akademie**

 **MISA**
MALAWI

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CONTENTS

FOREWORD	1
PREAMBLE	2
CHAPTER ONE:	
General Principles and Issues	3
CHAPTER TWO:	
The Journalist	3-4
CHAPTER THREE:	
The Work of the Journalist	5
CHAPTER FOUR:	
Specialized Reporting	5-6
CHAPTER FIVE:	
Media Houses	6-7
CHAPTER SIX	
Professional Misconduct: Complaints and Arbitration	7

FOREWORD

Media independence is a key element in the 1991 Windhoek Declaration for the development of a free, independent and pluralistic media, which led the UN to proclaim World Press Freedom Day in 1993. The Declaration recognizes that press freedom requires not only laws that provide strong guarantees for freedom of expression, but also conditions that ensure independent journalism.

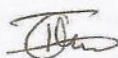
Media self-regulation is one of the essential conditions that preserves independence of the media. Media self-regulation protects the media from partisan government interference and effectively supports human rights and democracy more broadly.

At the core of media self-regulation is a set of standards and values that every journalist and media house should follow. The Malawi Media Council Code of Ethics and Professional Standards seeks to provide this framework and constantly remind journalists and the sector of the need to abide by the principles and values that define journalism as a profession.

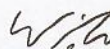
This Code of Ethics is a revised version of the 2008 Malawi Media Code of Ethics, and has been revised to respond to the changing demands of the journalism industry and profession, including the coming in of online media, fake news and disinformation.

The revised code draws on experiences from a cross section of experts, from fields such as journalism, child rights, gender, governance, and law. The Code also draws on best practices in media self-regulation in Malawi and across the world and we strongly believe that it will go a long way in providing the much-needed reference point for every professional journalist and media outlet.

We would like to thank DW Akademie, Germany's leading organization for media development and Deutsche Welle's center of excellence for education and knowledge transfer, for the support towards our efforts to revive media self-regulation in Malawi, including the revision and production of this Code of Conduct.



Teresa Ndanga
MISA Malawi
Chairperson



Wisdom Chingwede
Media Council of Malawi
Chairperson

PREAMBLE

The public's right to access information and respect for truth are cardinal principles of journalism.

Journalists are the mirror of a society. They have a privileged role to convey information, opinions and ideas. Journalists animate democracy and inform citizens. They disclose, entertain, record, search, remember, suggest, question and give freedom of expression a practical form. Journalists should, therefore, build public trust by being accountable as they scrutinize the power which they also exercise.

The Malawi media, therefore, by this Code of Ethics and Professional Conduct:

ACKNOWLEDGES that the media is one of the pillars upon which democracy rests and that the journalist plays a key role in any democratic state;

NOTES that journalists have as their primary function, the duty to inform the public accurately and to comment fairly on matters of public concern without fear or favor and that such duty is fundamental to the existence, sustainability and development of any democratic state;

RECOGNISES that journalists have a duty to maintain the highest possible professional and ethical standards and enhance the right to know in the discharge of their day-to-day duties;

REALISES that failure by journalists to maintain and observe such professional and ethical standards brings the integrity and impartiality of the media into disrepute;

APPRECIATES that it is necessary and desirable that basic standards of conduct which journalists should follow, be prescribed and published for the awareness of journalists themselves and the public at large;

AND FURTHER NOTES that the independence of journalists and their operations based on an ethical framework can only be guaranteed by a self-regulatory mechanism and institution;

To this end, the Malawi media thus commits to:

- Independence
- Honesty
- Fairness
- Respect to people's rights

CHAPTER ONE
GENERAL PRINCIPLES AND ISSUES

1.1 MATTERS OF FACT: A journalist shall promptly correct or cause to correct with due prominence, inaccuracies, misleading statements or distortions that have been published or broadcast and;

- i. whenever appropriate, make a public apology with due prominence for errors published or broadcast. The apology shall appear on the exact spot the erroneous information first appeared
- ii. grant organizations or individuals the right-to-reply where the same is required

1.2 ONLINE REPORTING: A journalist shall ensure that when an online article has been amended for factual accuracy, it is indicated as such.

1.3 NEWS, VIEWS and OPINIONS: A journalist shall clearly distinguish news, views and opinions.

1.4 HEADLINES: A journalist shall ensure that news headlines are warranted by contents of accompanying stories.

1.5 INFORMATION GATHERING: A journalist shall not obtain or seek to obtain information (documents, pictures, audio and visuals) unconventionally unless such public interest material cannot be obtained by any other conventional means.

1.6 DISCRIMINATION: A journalist shall avoid prejudicial or pejorative reference to a person's race, color, language, political, birth, health or other status or condition, ethnic or social origin, religion, sex or sexual orientation or to any physical or mental illness or disability unless such reference is relevant to the story.

1.7 ACCURACY: A journalist shall not accept that advertising or other commercial considerations should undermine independence, balance, fairness and accuracy in reporting journalism.

1.8 CONFIDENTIAL SOURCES: A journalist shall, as an obligation, protect confidential sources of information while facilitating the right-to-know.

1.9 PITCH/TONE: Voice pitch or tone of news and comment readers shall take the tone of a news script reflecting neutrality.

CHAPTER TWO THE JOURNALIST

2.1 ETIQUETTE: A journalist shall conduct him/herself with propriety in the line of duty.

- i. dress for the occasion

2.2 FAIR REPORTING: A journalist shall strive for accuracy, interpreting and reporting with fairness and scrupulous honesty, disclosing all essential facts to a story.

- i. ensure there is fair opportunity and access to the right-to-reply
- ii. ensure there is no distortions or suppression of relevant facts

2.3 RESPONSIBILITY: A journalist shall use honest, responsible and fair means to obtain information (unless public interest dictates otherwise) realizing that it is not an obligation for any person, public or otherwise, to talk to journalists.

- i. not abuse the access to information liberties
- ii. not take advantage of peoples' ignorance of media practice or vulnerability
- iii. identify oneself and the media house she/he reports for before obtaining an interview for broadcast or publication

2.4 ATTRIBUTION: A journalist shall strive to attribute to sources all information acquired. However, shall consider carefully all requests for anonymity considering source's motives and attributable sources available.

- i. in all circumstances, respect anonymity/confidentiality that has been granted
- ii. adhere to legal dictations on the conduct of elections

2.5 INTERVIEWS and LANGUAGE: A journalist shall conduct an interview in a language the interviewee is competent in and may, where necessary arrange for an interpreter.

- i. Present true and accurate pictures and sound
- ii. disclose manipulations that could mislead
- iii. resist compulsion to intrude by respecting personal privacy, including private grief

2.6 CONFLICT OF INTEREST: A journalist shall not allow personal interest, payment, gift or benefit, commitment or any other form of inducement with potential to compromise independence, fairness and accuracy of a story for publication or broadcast in the media.

- i. disclose, to the employer, conflicts of interest that could or be perceived to affect journalistic independence, fairness or accuracy

- ii. ensure disclosure, to the employer, of any payment made for interviews, stories, information, pictures including videos
- iii. not demand any form of payment in exchange for inclusion or exclusion of material on a story s/he is writing

2.7 FAKE NEWS: A journalist shall not treat social media information as news for publication or broadcast unless, as a professional, he/she has evaluated, verified/collaborated the said newsworthy information with credible sources.

2.8 PROFILING: A journalist shall not indulge in profiling/discrimination in the context of physical or intellectual disability, sexual orientation, religious belief, race, ethnicity, age, nationality or gender etc.

2.9 SEXUAL HARASSMENT: A journalist shall, at all times, refrain from indulging in any forms of sexual harassment

3.0 PLAGIARISM: A journalist shall not indulge in plagiarism

CHAPTER THREE THE WORK OF THE JOURNALIST

4.1 MATERIAL: journalist shall produce material that is credible, balanced, fair, adequately verified and verifiable.

- i. make every reasonable effort to present all sides to a story
- ii. Radio, television, online headlines and pictures shall clearly reflect thrust of story not distorted, racist, tribalistic and other social categorizations.

4.2 CONTENT: A journalist shall avoid use of traumatizing, shocking or obscene language and pictures or audio clips or text with content that infringes on the right to privacy of individuals.

4.3 HARM TO LIFE: A journalist shall ensure that the impact of his/her work does not harm lives especially when they publish or broadcast what could be hurtful.

4.4 QUOTATIONS: A journalist shall strive to ensure that quotations, visual and audio clips are accurate and in the appropriate context of the story being told in print, on air, television or convergent media.

4.5 SENSITIVITIES: A journalist shall ensure that news gathering, publishing and broadcast respects moral, religious, traditional and cultural values of sources and interviewees.

4.6 GENDER and SOCIAL INCLUSION: A journalist shall ensure observance of gender and social inclusion in story-telling; use of sources and interviews

CHAPTER FOUR SPECIALISED REPORTING

5.1 COURT REPORTING

- i. **PREJUDICE:** A journalist shall desist from commenting (on a matter that is pending court decision) in a manner that would prejudice the outcome and the right of an individual to a fair trial.
- ii. **VICTIMS:** A journalist shall not identify victims of sexual assault or publish material likely to contribute to such identification unless, by law, he/she is at liberty to do so.
 - o Demand formal consent where an adult victim of sexual assault, for their own reasons, wish to come on record
- iii. **MINORS:** A journalist shall not identify children under the age of 18 who are involved in cases concerning sexual offences, whether as victims, witnesses or defendants.
- iv. **IDENTIFICATION:** A journalist shall not reveal the name, address of school or include any particulars that will lead to the identification of the parties to child justice court proceedings or witnesses; even where the law does not prohibit it; and
- v. **REFERENCING:** A journalist shall avoid inappropriate reference and identification of relatives or friends of accused persons or convicts, unless doing so is necessary to professionally report the story and proceedings.

5.2 REPORTING ELECTIONS

- i. A journalist shall be expected to report elections in line with set electoral guidelines unless the same could be challenged as hindering guaranteed press freedom

5.3 REPORTING GENDER

- i. A journalist shall ensure that sources and interviews for all reporting in newspapers, on radio, television and online present a reasonable and balanced representation of contributions from all sexes
 - o Take deliberate measures to cultivate and grow women news sources data base
 - o take deliberate measures to encourage women and girls participate in public discourse

- ii. A journalist shall ensure that content of contribution to all reporting does not and cannot be perceived to portray a demeaning stature of sources and interviewees based on their sex

5.4 REPORTING MINORITIES

- i. A journalist shall pay particular attention to minority groups and give them befitting voice on all stories especially those of direct appeal to their situations

5.5 HEALTH REPORTING

- i. A journalist shall exercise caution interviewing a patient (even where the patient has no objection) unless doing so serves the greater good and can be said to be in the interest of the public
- ii. A journalist shall not disclose ailments of a news subject unless doing so is either authorized by the patient (with a sound mind) or that public interest demands it
- iii. A journalist shall refrain from publishing unqualified comments, views and opinions on medical issues unless the same is collaborated by a professional in that area of expertise

NOTE: Detailed guidelines on the above and other specialized reporting areas shall be in line with the spirit and principles of this code of ethics and professional conduct

CHAPTER FIVE MEDIA HOUSES

6.1 IN-HOUSE EDITORIAL POLICIES: Media houses shall ensure that in-house editorial policies are not in conflict with this overarching Code of Ethics and Professional Conduct.

6.2 TOOLS FOR JOURNALISTS: Media houses shall provide journalists adequate and appropriate tools and equipment to facilitate quality delivery of professional journalism

6.3 CONFLICT OF INTEREST: Media houses shall not offer, demand or accept any financial inducement in order to publish or exclude material from publication or broadcast.

6.4 CORRECTIONS/RETRACTIONS: Media houses shall publish (on radio, television or online), at no cost, refutals as long as they are meant to correct errors earlier carried. However, the publishers reserve the right and liberty to comment on such refutals.

- i. all publishers shall not charge for retractions.

6.5 ADVERTISEMENT and PUBLIC NOTICES: Media houses shall ensure that advertisements and public announcements are accurate, do not misinform and are distinguishable from news and all editorial work;

- i. make the same public when an outside organization has contributed to cost of news gathering

6.6 MEDIA WAR: Media houses shall desist from engaging in media wars.

- i. including minor battles that could have potential to lead to actual war

6.7 EQUALITY: Media houses shall ensure practical gender equality as enshrined in the laws of Malawi.

CHAPTER SIX

PROFESSIONAL MISCONDUCT: COMPLAINTS AND ARBITRATION

7.1 MISCONDUCT: Infringement of any of the provisions of this Code of Ethics and Professional Conduct shall constitute an act of professional misconduct.

7.2 ENFORCEMENT: The Ethics, Complaints and Disciplinary Committee of the Media Council of Malawi shall be responsible for enforcing observance of this Code of Ethics and Professional Conduct.

7.3 COMPLAINTS: The Ethics Complaints and Disciplinary Committee shall proceed to resolve complaints in its custody in accordance with guidelines as set out in the committee's rules of procedure.

7.4 NATURAL JUSTICE: Provided that any action taken by the Committee shall have regard to the rules of natural justice and shall not prejudice the right of a journalist to seek recourse in a court of law.

This 2009 Code of Ethics and Professional Conduct for media in Malawi was reviewed in July-August of 2020 and adopted in Blantyre at a media owner and MCM NGC conference held Mount Soche Hotel, September 4th, 2020. ENDS

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Disclaimer

Reference to **journalist** is also reference to **reporter** in this document

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