

CODE OF CONDUCT

1. Accuracy

(1) Reasonable care must be taken not to publish false, misleading or distorted material, including photographs and edited film or videotape.

(2) In particular, journalists, editors, subeditors and broadcasters must strive to report the news truthfully and fairly.

(3) All media must be astute to distinguish between statements of fact, conjecture, and the personal opinion of writers and broadcasters. When allegation or rumour is reported it must be clearly identified as such, and a reasonable opportunity given to subjects of the allegation or rumour to comment upon it prior to any publication.

(4) Headlines and captions to pictures and voice-overs video must provide a reasonable reflection of the contents of the report or picture in question.

(5) All news must be presented with due impartiality. Any personal interest or bias affecting the publisher of news, or editors and journalists writing or presenting that news, must be declared in the article or programme which contains the news in question.

2. Fairness

(1) Whenever it is demonstrated that a significant inaccuracy or misrepresentation has been published, it should be corrected promptly and with a prominence equal at least to the original mis-statement.

(2) When the error is egregious, or arose from the negligence or lack of professionalism of the publisher, a full and genuine apology should be offered publicly.

(3) A reasonable and prompt opportunity must be afforded to every individual or entity attacked in a publication to reply to that attack, whether by disputing facts or taking issue with comments, Such replies should not be rejected merely because they cast doubt on the professionalism of the author of the attack.

3. Advocacy

Newspapers and periodicals are entitled to advocate their own views in editorials and in comments clearly identified as such. Broadcasters must maintain due impartiality in coverage of news and political issues, but may broadcast “personal view” programmes clearly labelled as such.

4. Elections

The duties of accuracy and fairness must be scrupulously adhered to during election periods. Without prejudice to the operation of Section 19 of the Mauritius Broadcasting Act, corrections, and rights of reply must be published prior to election day as soon as possible, and in any event no later than 3 days after the offending publication. The media must in this period co-operate fully and immediately with the Media Ombudsperson's investigative and adjudicative procedures.

5. Privacy

Everyone is entitled to respect for his or her private and family life, home and correspondence. There must be no intrusion into grief and shock at times when the need for solitude is obvious. Information or other material (including photographs) obtained by invasion of privacy cannot be published unless publication is believed by the media on reasonable grounds to be in the public interest, as defined in paragraph 15 and in particular:

- (a) detecting or exposing crime or seriously anti-social conduct; or
- (b) protecting public health and safety; or
- (c) preventing the public from being misled by some statement or action of a Government official, corporation or public figure.

6. Children

(1) Children under the age of 16 should never be interviewed without parental consent.

(2) Children must not be photographed at school without the approval of school authorities.

(3) There must be no publication of details of the private life of children unless there is a clear public interest justification, and this justification does not exist merely because their parents are public figures.

(4) Children who are victims or even alleged victims of sexual offences should not be identified, except where this is expressly permitted by a court.

7. Special Occasions

The media must pay special respect to the value of privacy in covering -

- (a) funerals
- (b) patients in hospitals;
- (c) children in schools;
- (d) person admitted to mental hospitals;
- (e) church services.

8. Misrepresentation

Journalists should not use deceit, dishonesty or misrepresentation in order to obtain information, unless these devices are essential for obtaining material of significant public interest.

9. Ethnic Prejudice

The media must strive to avoid prejudicial or perjorative reference to a person's race, ethnicity, religion or sexual orientation or to any mental illness or disability. Unless this is a report of court proceedings or Parliament or is otherwise justified in the public interest, it must not publish comment which is intended or likely to stir up racial or ethnic hatreds.

10. Confidential sources

A journalist should not reveal the identity of a source to whom he has promised confidentiality, unless satisfied that the source has tricked him or her or involved him or her in a criminal act or has waived the confidential relationship.

11. Payments to Criminals and Witnesses

Payments or offers of payment should not be made to potential witnesses at criminal trials or to persons for confessing to involvement in crime.

12. Conflicts of interest

If the publisher or anyone involved in the publication of any news report, feature article or programme has any financial or other significant interest in the subject matter, that interest must be disclosed by or in the course of the publication. Journalists must disclose any possible conflict of interest to their editor.

13. Decency and Public Order

The media shall refrain from publishing matters (including advertisements) which are indecent and obscene, or likely to encourage vice, crime or anti-social behaviour, racial or religious disorder, or are bad for health.

14. Advertising Standards

(1) No advertisement should mislead or exploit the credulity or inexperience of consumers. Wherever objective scientific claims are made about or for a product the advertiser must be in a position to confirm them.

(2) Advertisements should contain nothing that is likely to cause serious or widespread offence, especially on the grounds of race, religion, sexual orientation or disability.

(3) Advertisers should not unfairly portray people in an adverse or offensive way and should not identify individuals without their permission.

15. Sanctions

The Media Ombudsperson may require newspapers, periodicals and internet sites to cease to exhibit advertisements which breach the above standards, and may apply to the court to enforce any such orders. In the case of broadcast advertisements, he or she must report licensees who carry infringing advertisements to the Independent Broadcasting Agency.

16. The Public Interest

In justifying any breach of provisions of this Code on grounds of public interest, journalists and editors should be aware that any such interest other than the following will need particularly strong justification:

- exposing or detecting crime
- exposing significantly anti-social behaviour
- exposing corruption or injustice
- disclosing significant incompetence or negligence
- protecting peoples' health & safety
- preventing people from being misled by public statements
- disclosing information that assists people to better comprehend or make decisions on matters of public importance
- disclosing breaches of this Code or other Codes of Conduct
- disclosing otherwise secret censorship or attempts to restrain freedom of expression

17. It should be an essential part of this Code that its provisions are to be implied in every contract for employment of editors, journalists, camera-people, film-makers and the like. The provision shall make clear that no employee may be required to breach the Code, and that any instruction to do so shall be deemed a breach of contract by the employer.