

COURT REPORTERS' UNDERSTANDING ON THE CODE OF ETHICS IN NEWS REPORTING

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ABSTRACT

Journalism, as any professional field, is trusted to be guided by code of ethics (COE). In Malaysia, journalists have their own Canons of Journalism. The aim of this study is to determine the reporters' understanding on the practice of code of ethics in reporting news. Using a case study approach, the research was conducted at the Kuala Lumpur court complex. Qualitative method was employed to obtain the data. Fifteen court reporters from the English and Malay newspaper's media organizations were interviewed in-depth to gather data for this study. Finding shows that most of the informants have various understanding over COE in carrying out their reporting work every day. To them, ethics is more to do with principles or guidelines concerning the rights and wrongs of human conduct, and thus, failure to follow the practice of COE in reporting news may have an impact on the reputation of the reporters, media organization and credibility.

Keywords: code of ethics, journalism, print media, court reporters, media organization

INTRODUCTION

Journalism is one of the dynamic professions of communications (Joshi et. al, 2006). In the field of journalism, it has been neatly divided into professional

practice, ethics, communication and society and communication law (Adam, 1989; Laslo et. al, 2011). Journalism, as any professional field, is trusted to be guided by code of ethics (COE) or code of conduct – a term used interchangeably in the newspaper industry (Broersma, 2010; Ruigrok, 2010). Basically, the expectation arises due to COE prescribing a set of values that describes what is right or wrong.

For those involved in court reporting, one of the variations within journalism, they face numerous challenges in the execution of their daily duties in the process of gathering information and reporting (Himelboim & Limor (2008). Court beat is one of the most challenging and demanding sections in the newsroom of a news media organization especially in the print media. The court beat is a specialized beat within the Klang Valley and Putrajaya where media organizations namely the newspapers assign specific reporters to the courthouses on a daily basis. These reporters would come to the court in the morning and leave the court premises in the late afternoon after covering various cases.

For journalists in Malaysia, they have their own Canons of Journalism (COJ) since May 20, 1989 (Shivadas & Krishnamoorthy, 2004). They also have the National Union of Journalists (NUJ) Code of Ethics, which among others, deals with professional conduct of their members (National Union of Journalists Malaysia, 2010). Both codes, though not mandatory were said to lend the media some modicum of professionalism, particularly in their interactions with various sectors in the society (Kiranjit Kaur & Shaari, 2006). However, Hasim and Merican (2002) said the closest that the Malaysian journalistic fraternity has is COJ. Therefore, COJ was chosen as the basis for this study on those reporters' understanding over the practice of COE in reporting news daily as it applies to all Malaysian journalists while NUJ was exclusively for unionized members only.

In discussing ethical practice of the journalist, Ralph Grover Brockett has proposed a model for helping adult educators think about their decision-making in relation to ethical issues. The model's three dimensions (Table 1) are personal value system, consideration of multiple responsibilities and operationalization of values (Imel, 1991).

This study was initiated as there is gap in knowledge on how those reporters understand the application of COE. Besides, there was a suggestion that continuous efforts should be made to explain over the meaning of journalism ethics to give understanding over the complex topics (Ibrahim & Ab Ghani, 2000). The objective of the study is to determine the court reporters' understanding on the practice of code of ethics in reporting news in their daily routine work.

Table 1: Dimensions of Ethical Practice Model

Summary of the Model	Application in the Study
1. First Dimension - Personal Value System	
Stresses the importance of individual values and is reflected in ethical dilemmas that can arise due to conflicts that a person holds within his or her own value system	The importance of the court reporters to have a strong foundation of personal value system such as through religion and internalizing values.
2. Second Dimension - Consideration of Multiple Responsibilities	
Helps to consider the options or choices available in meeting what are frequently conflicting needs.	The court reporters are accountable to their own media organization (employer), and responsible to the profession, colleagues, society, nation, and themselves.
3. Third Dimension – Operationalization Of Values	
The emphasis shifts to an identification of strategies that will help put values into practice. This is where a code of ethics was stated and become relevant.	The existence of the Canons of Journalism to act as a set of guidelines or principles for the court reporters to put values into practice.

METHODOLOGY

The research design employed a qualitative method using a phenomenology approach. The qualitative method is primarily selected based on the fact that the number of the English and Malay print media court reporters assigned to the criminal courts (the magistrate's court, the Sessions Court and High Court) in the Klang Valley, Malaysia, is less than 20 reporters. A phenomenology approach was chosen as it was suitable to determine the issue of understanding the

practice of COE. This approach was also applicable as the researcher was the primary instrument of data collection and analysis and the end product to be richly descriptive (Merriam, 2009).

The study was conducted at the Kuala Lumpur court complex in Malaysia. The informants are the court beat's print media court reporters from the English and Malay newspapers that cover the criminal courts on a permanent basis. A total of fifteen reporters consist of the Malay and English dailies were being interviewed as an informant. Those reporters were assigned to cover criminal cases for their organisation's newspaper respectively – The Star, Malay Mail, Harian Metro, Utusan Malaysia and Berita Harian. The informants, who were graduates from local and abroad universities, were selected through purposive sampling. They have experience between 10 months and 19 years in the field of journalism. The informants comprised of more women reporters as they are the majority in covering these courts. The researchers gathered inputs from the informants through in-depth interviews.

An interview guide comprising 15 semi-structured questions were prepared to collect the data. It covers on the criminal court reporters' understanding on the practice of COE, the core value of COE and its meaning and the questions in respect to the application of the Brockett's Dimensions of Ethical Practice model. Probe questions were also being asked spontaneously during the face-to-face interviews. Interviews were conducted in the media room and its cafeteria to get information over the topic of study. Each reporter was interviewed from between 40 minutes to an hour.

The researcher had to translate questions to Malay when interviewing Malay daily court reporters and they replied in the same language but sometime they included English words in their line of reply. The informants were earlier told on the purpose of the study and that their identities would not be revealed. They were told that they would be given pseudo names where few also selected their preferred names. We stopped having further interviews after reaching a sample of fifteen informants due to the fact that the same themes were already recurring and no new elements or themes emerged. In term of validity, the researchers conducted member check to ensure validity while an audit trail (clear methodology) was adopted to ensure reliability of this study.

The researchers conducted data collection, data management and data analysis concurrently to secure good data and valuable findings. The researchers transcribed the data in verbatim manner. The researchers also used thematic analysis and constant comparison to sort and analyze the data to get organized findings. The data was also checked on the applicability of Brockett's Dimensions of Ethical Practice Model.

RESULTS AND DISCUSSION

Understanding of the Practice of COE

Result shows that most of the 15 informants, aged between 24 and 48, interviewed face-to-face stated that they understood the practice of COE for the print media court reporters as everything based on facts. Juju, 24, an Utusan Malaysia court reporter, described his understanding on the practice of COE as:

“We follow facts. We did not prejudice, cheat its meaning over facts. We did not fabricate stories. All based on facts.” (*Kita ikut fakta. Kita tak prejudis, tipu maknanya dalam fakta. Kita tak mereka-reka cerita. Semuanya berlandaskan kepada fakta.*)

Sofia, 32, a Berita Harian court reporter, stated further this:

“If me, I will do the story based on facts, do not exaggerate stories. Because there are certain people want the story to look good. I hold to the principle that the story has to be based on facts.” (*Kalau saya, saya buat story based on fakta, jangan goreng-goreng. Sebab ada setengah-tengah orang nak dapat story cantik. Saya pegang kepada prinsip story itu memang kena based on fakta. Court stories memang kena fakta.*)

Jijis, 27, a Harian Metro court reporter, explained this:

“Write based on facts. The information, meaning, comes from the person itself, there is no fabrication. Must be accurate.” (*Tulis berdasarkan fakta. Information maksudnya, datang daripada orang itu sendiri, tak ada rekaan. Mestilah tepat.*)

However, Juju who is a Syariah law graduate, mentioned that practice of COE is also applied, that the reporters should follow the law and that the person should have good attitude, trustworthy and not prejudiced in his writings. He said this:

“The attitude is good, trustworthy and we are not prejudiced.” (*Sikap itu baik, jujur dan kita tak prejudis.*)

Karisma, 27, a journalism graduate and currently with The Malay Mail, said that she understood the practice of COE as a set of guideline. She pointed out this:

“It is not a rule but it is just a set of guideline. You have a chance to follow or not. Supposedly we are to be

bonded by it but in some situations, we do run apart from it.”

Ponni, 48, a reporter with Star Publications (M) Bhd with 19 years experience, stated that her understanding on the practice of COE was that exact quotes should be used by the criminal court reporters in their writing daily. She stressed that there should not be personal opinion and that reporters should be neutral. Her reply was this:

“Try to keep to the exact quotes of witnesses, lawyers and judges. No personal opinions should be included. Report should also not be slanted towards any party. Reporters must strictly be neutral.”

COE as a Set of Guidelines

When asked on COE itself, Ponni stated that it is a set of codes or guideline. She responded this:

“It is a set of codes or guidelines on what can or cannot be done. However, it is not legally binding.”

Karisma also agreed that COE is a set of guideline. She replied that:

“COE is just a set of guidelines that regulates a certain profession, including journalists, the same for court reporters. Engineers got COE. Doctors also got.”

On the other hand, Sofia expressed her view by saying:

“Ethics of journalism is I will report what is seen, heard and based on interview of the people.” (*Etika kewartawanan itu saya akan lapor apa yang saya nampak, dengar dan berdasarkan temubual orang.*)

Apart from that, Sofia said that COE also refers to accurate reporting by saying this:

“To me, ethics is also accurate reporting.” (*Bagi saya, etika itu juga report dengan tepat.*)

Juju said that COE also meant reporting correct information by saying this:

“Report the correct information” (*Laporkan maklumat yang betul.*)

He also said that COE also referred to not bias reporting. He replied this:

“A writing cannot be bias.” (*Satu penulisan itu tidak boleh bias mana-mana.*)

Jijis also said that COE referred to writing the truth by saying this:

“Write the truth.” (*Tulis yang benar.*)

Core Value of COE

When the informants were asked about the core value of COE and its meaning for the court reporters, they implied on truth and facts in their responses.

Jijis replied this:

“Must be the truth, according to my understanding. The facts must be the truth.” (*Mestilah benar pada fahaman saya. Fakta itu mestilah yang benar.*)

He also said that it should be based on facts obtained through the sources. He said this:

Based on facts, based on what we get from the respective sources.” (*Based on fakta, based on apa yang kita dapat daripada sumber itu sendiri.*)

Sofia also agreed to this claim by saying this:

“The truth report based on facts.” (*Laporan yang benar berdasarkan fakta.*)

Juju said that core value of COE would be honesty which means reporting based on facts. He explained this:

“Honesty, we have to be honest in our reporting. If honest, the thing will be based on facts. We will not change even one word. That is the main point, honesty.” (*Jujur, we have to be honest in our reporting. Kalau jujur, benda itu berdasarkan fakta. Kita tidak akan mengubah-ubah even one word. Itu yang main point, jujur.*)

Karisma stated that “Facts must have...Credibility of facts.” She also said that core value of COE would be balance in reporting. Ponni stressed that “To stick to the facts of the case.” Apart from that Ponni said that “A court reporter must never give his or her personal interpretation.”

The informants said that the COE was important to protect the reputation, to ensure credibility of reporters and media organizations, to be on par with the journalism standard and as it contained elements, scope and guide. They understood the practice of COE in daily reporting of criminal court news as based on facts, follow the law, have good attitude, be trustworthy and not prejudice, as guideline, applying exact quotes, no personal opinion and reporters to be neutral.

The findings showed that most respondents have various understanding over COE in carrying out their reporting work daily. However, it all confirmed that ethics is more to do with principles concerning the rights and wrongs of human conduct (Belsey & Chadwick, 2002). It is similar to perceptions and statements made by various researchers that COE is actually a set of principles or a code of moral conduct (Arnett et al., 2008; Farooqui, 2009; Ahmad Ishak, 2006; Reece & Brandt, 2003; Shekhar, 2010; Tubb & Moss, 2003 and Wright, 2006). The code will determine what is permissible and not permissible for the media practitioners while in duty (Samani, 2000).

Apart from that, it confirmed that ethics can be embedded and enacted in everyday acts of organizing (Kornberger & Brown, 2007). In this case, the criminal court reporters who are members of respective media organization subscribed to values and norms of the organization and practiced their good judgment such as follow the law in their daily reporting work.

The findings also verified a comment made by Hussain (2009) that ethics has been recognized as an essential requirement in the making of a journalist. It also in line with the findings of Quah & Leong (2010) that idealist journalist is more aware of code contents whereas the relativist journalist is less likely to be aware of the code content. According to the two researchers, idealism is defined as the degree to which an individual believes that ethically correct actions will consistently produce desirable outcomes whereas relativism is defined as the degree to which an individual cognitively accepts/rejects universal moral perceptions as the basis for ethical decisions. Most of the informants hold to the principles to report court news based on facts which could implied that they believed those ethical correct actions would produce desirable outcomes such as boost the sales of their newspapers, project the good name and ensure reputation of their media organization and maintain self credibility.

The finding is also in accordance to Ibrahim's (2010 research findings stating that majority of Malaysian journalists prefer to work from within in the form of self-censorship. This could be observed through the statement made by Ponni that "No personal opinions should be included" in the writing of court news. The results of the study also confirmed the contention by Ibrahim (2010) that COE provides some guidelines to help journalists make decisions. This could be noted from the response by Karisma that her understanding on the practice of COE for print media court reporters as "a set of guideline". Besides that, the results of the study also confirmed the findings by Smith (2008) that journalists see value in duty-based ethics on grounds that they have a duty to print all truthful news.

An interesting aspect which the study affirmed would be that most criminal court reporters give priority to the element of accuracy in their writing. This was in line with what Stephen (2005) has stated in his book chapter entitled *Ethics and Law in Relation to Broadcast Journalists*. Stephen argued journalism is nonfiction and accuracy is the first goal. He stated that accuracy is the journalist's religion and that an error of fact is a professional sin. It is similar to the remarks that accuracy is

one issue that is emphasized from top to bottom and at every stage in news production (Tanner et. al, 2005), news accuracy is constant and legitimate concerns of professional news gatherer, writers and editors (Johnson, 1976); accuracy in reporting is priority among the media practitioners (A. Rahim & Samani, 2000).

The study also proven the findings by Vinson & Ertter (2002) that media are capable of providing educational reporting on the courts. This could be seen from the responses from the informants on their responsibilities to the society. They claimed that they have to report the truth in order that the society would know the real situation about a matter and did not get cheated over something. One of the informants – Jijis - even stated that his responsibility to the society was to make them aware of lesson learnt in the court cases.

The results of the study also confirmed the statement by Karikari & Piesie-Anto (2010) that journalists must realize if they act unethically, they are shooting themselves and their organizations in the foot. This is following the comments by most informants that they have to be careful in writing court news to avoid legal suits, loss of reputation and credibility. This was also in line with the statement by Ibrahim (2010) that the consequences of bad ethical judgments may damage the reputation of journalists and media organizations as well as profession in general. Figure 1 simplified on the understanding of the court reporters on the practice of COE in reporting news daily.

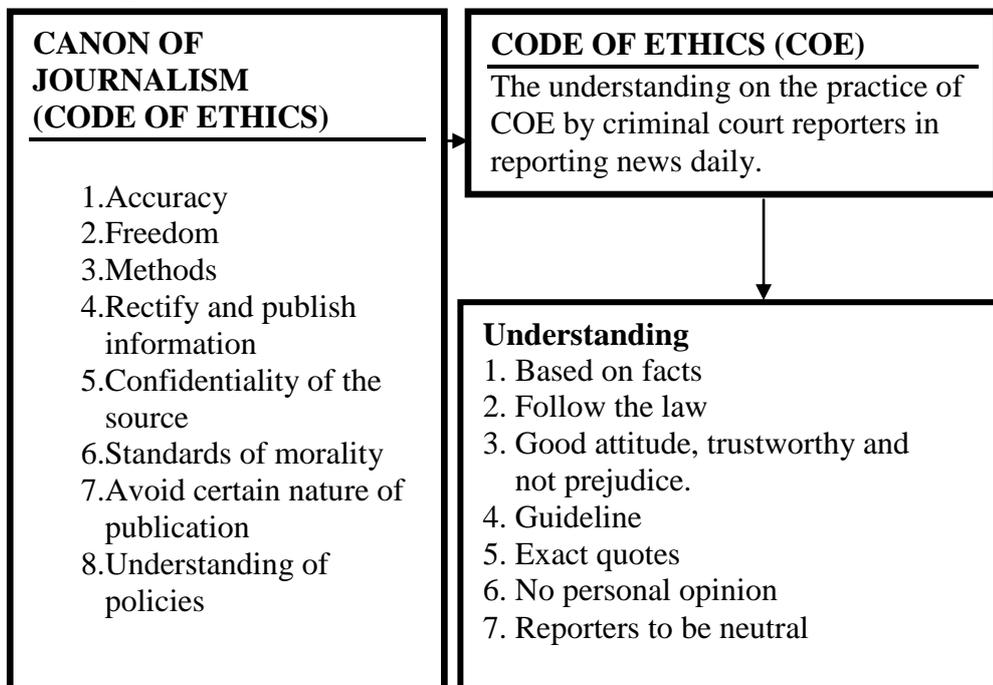


Figure 1: Understanding on the Practice of Code of Ethics by Print Media Criminal Court Reporters.

In term of its implication, the informants gave various implications if the criminal court reporters did not understand on the COE. They stated that it could cause wrong reporting, worst perception of the public, bias, contradiction in facts; affect the media organization, source will lost their trust against the newspaper. They explained that it could also contribute to readers boycotting the newspaper, possibility of facing legal action, misled the readers; ruin their credibility while their employer will have the impression that they were not responsible. However, one informant stated that there is nothing in that aspect.

On the impact if the COE was not adopted by the court reporters in daily reporting of court news, the respondents stated that it would expose them to subjudice in their writing, possible facing legal action, superior would not respect them and resulting in wrong reports being published in newspapers. They stressed that it could also cause to a drop in the sales of newspapers. They have the opinion that it could affect their salary and caused their grades not increased. Apart from that, they pointed out that it could result in the loss of reputation, credibility and negative perception against the media organization.

CONCLUSION

Although most of the print media criminal court reporters have various understanding over COE in carrying out their reporting work daily, it all agreed that ethics is more to do with principles or guideline concerning the rights and wrongs of human conduct. It touches on the moral behaviour. Most of the informants give importance to writing court news based on facts. They were aware of the consequences if they did not stress the relevant factors in the writings as it could expose them to face legal suits, loss of reputation and credibility. They also expressed their views over the impact on the sales of the newspapers, the media organization's reputation and credibility. Further research might examine the relationship between the news reporting published in the newspaper and the conduct of COE by the reporter. It is also be interesting to see the reporter's unique experience in implementing the COE.

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