

**CRIME REPORTING, ETHICAL RESPONSIBILITY AND JOURNALISTIC PRACTICE:  
THE NIGERIA EXPERIENCE**

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***ABSTRACT***

The Nigerian journalist has over the years demonstrated traits of professionalism in ethical conduct, prudence in crime reportage and absolute maintenance of confidentiality. The traits are manifest and exemplified in the massacre of some notable editors in the course of duty reporting crime related issues. This work identifies the place of professionalism in crime reportage and x-rays the ethical responsibility in the professionalism of journalism as it focuses on the Nigerian experience. It fundamentally places its study on the ethical responsibility theory. It concludes on the notion that the Nigerian ethical codes of conduct would help so much to report truth and maintain balance in journalistic reportage.

## INTRODUCTION

Nigerian journalism must come up with a new journalistic philosophy that should or inform journalistic practice and ensure greater effectiveness.

## ETHICS OF JOURNALISM

The Webster New Collegiate Dictionary defines ethics as follows:

- The discipline that deals with what is good and bad and with moral duty and obligations.
- A set of moral principles or values.
- Confirming to accepted professional standard of conduct.

From the above definition, ethics of journalism can be seen as some principles and codes of conduct, which form a set of guidance for journalists. MacBride et al (1980:48) states that professional ethics are journalists conceived within the framework safe-guarding freedom of information. To this end, Ogunsiji adds “every profession deserves to have guiding rules for the practice of the profession. Journalism in any way should not be an exception”. He says ethics of journalism are “not laws but they are binding on all members of the profession”.

Every profession has some ethical code of conduct which serves as a guide for members to practice the profession. The Nigerian Union of Journalists ethical code of conduct involves,

- Editorial independence
- Accuracy and fairness in reporting
- Repeat of the privacy of the individual.

Historically, there have been several efforts by non-governmental and inter-governmental groups to draft regional or international codes of ethics for journalists. Such efforts have resulted in the first codified ethics of journalism adopted by the first Pan-American Press Conference in Washington in 1926 (MacBride et al, 1980:65).

As MacBride et al (1980) noted, professional ethics are as important as inner directives for the individual decision making in various situations that arise in the course of performing his professional duties. Thus, a conscientious journalist must carefully check all facts that will affect the individual’s image, if published.

Nnaemeka (1989:45) is of the opinion that code of professional ethics will only be mere expression of philosophy if it lacks necessary authority for its enforcement. This observation is true because Nigerian press enjoy no specific constitutional profession and protection under the present democratic dispensation.

In the same vein, Daramola (1999:42) notes that certain elements are fundamental to the issue of professional ethics of journalism. Such matters according to him border on freedom of the press, which any ethics of journalism should not compromise.

- The ethics of journalism should not compromise the responsibility of the journalist to the society. Therefore, the press should endeavour to protect the interest of the readers and all other stakeholders.
- An ethical code of conduct should consider issues that concern accuracy and fairness of reports to all parties concerned.
- Ethical code of conduct must stipulate the minimum professional or academic qualifications for practitioners.

Summarily, the Nigerian press ethical codes of conduct are expected to provide professional guidelines for pressmen in the performance of their functions.

## **FACTORS RESPONSIBLE FOR UNETHICAL PRACTICES IN JOURNALISM**

### **i. Inaccurate Reporting**

News is about time and recent reports of the events happening in and around us. Journalists are always faced with the problem of reporting events as they are happening. In the bid to do so, they run into a lot of problems ranging from non-proper verification of facts of the stories, inaccurate reporting of events which they should have with adequate time, verified before publishing, to one-sided reports of events.

### **ii. Leakage of Information**

Due to restrictions on reporting certain news events, journalists base their reports on information sourced through questionnaire parliamentary proceedings, extra care is required because you are not allowed to report every statement made on the floor of the house (Green Word and Welsh, 1985). Even though there is supposed to be unlimited access off information by journalists covering parliamentary beats, certain government businesses are not carried where it is indicated that a matter before the parliament calls for public hearing, there is no crime in excluding the press and indeed the public from certain proceedings of the evidence taken in any judicial proceeding which actually should be held privately. Also reporters are not expected to make comments that will be seen as intentional disrespect to any judiciary official or judicial proceeding.

### **iii. Culture/Tradition**

As MacBride et al (1980), notes, the press in any other institutions within it. This can affect the performance of the press. Nigeria has a culture of corruption, ethnicity and nepotism which the press is only reinforcing.

The Nigerian press is corrupt because journalists in the country are witnesses to the large-scale fraud and embezzlement of public fund going on in all sectors of the society (both government and private sectors).

As Utomi (2000) observes, corrupt leaders are hailed and given chieftaincy titles by their communities while those who could not steal public fund are regarded as “slakers” and “never do wells”. Advanced fee fraud (419) has become the order of the day. Nigerian youths no longer believe in hard work. There is mad rush for quick wealth through foul means. People are becoming increasingly very ambitious. No ambitious young man wants to work as a journalist. Where they do, they resort to unethical practices to “make it”. To an average Nigerian the end justifies the means. The press cannot fare better under these circumstances.

#### **iv. Societal Expectations**

The society expects a lot from the journalists. They are regarded as all knowing, ubiquitous and infallible. Sometimes, the journalist is given the “superman” or an angel status. People look up to him for direction and exemplary life at all times and against all odds. When the journalist, as a human being fails to attain these high standards, he is “crucified”. Such expectations have constantly placed the journalist in a tight corner. In order to meet up with societal expectations, the journalist may go into unethical practice, including plain cloth or impersonation journalism just to obtain information. Sometimes, pressmen in order to obtain information bribe news sources. The pressmen can even falsify facts or exaggerate them.

### **ETHICS AND ENVIRONMENTAL FACTORS FOR A REASONABLE JOURNALISM**

#### **i. Libel**

Libel is the intentional publication of false and malicious materials, which damages a person’s business or reputation. Before somebody can successfully claim injured by a publication, any of the following should be proved.

- a. Damages to reputation
- b. Financial loss
- c. Mental anguish
- d. Humiliation

The mass media can disseminate information that cause people to lose their jobs. Such reports can also damage reputation and result in humiliation and ultimate mental anguish.

### **LIBEL DEFENCE**

A Nigerian lawmaker was exposed by the news media for forgery of both age and credentials. He was later probed and got indicted which led to his loss of job and of course humiliation. However, he could not go to court because the story was true and a suit would be hopeless. There are four main defences against libel suits.

- (a) **Truth:** A writer can claim that a defamatory material is true. Since it is not enough for the writer to merely claim truth, the writer must show proof of truth. It follows, therefore, that a libel could be brought up but would usually not succeed in the presence of truth as defence.
- (b) **Privilege:** Legislative and judicial officers acting in official capacity could be reported whether true or false. Documents filed by lawyers in courts, judge’s pronouncements, and official witness accounts for all regarded privilege. Reporters are, however, warned to be wary of statement outside this official scenario. Apart from the fact that the reporter faces the risk of denial; such report cannot be protected under privilege.
- (c) **Public Interest:** A writer can claim public interest, which usually overrides many other things. Therefore, if a writer could prove that a material was disseminated in public interest, a libel suit can fail.
- (d) **Fair Comment and Criticism:** Critics often comment on the work or performance of artists, sports figures, performers, authors etc. such criticisms or comments are usually based on the fact that such people offer services for the public. A writer can, therefore, plead fair comment. However, a writer should avoid attack on the personal life of the individual in public glare.

In pleading any of the above, a counter proof of malicious intent could puncture pleas. Also, a writer should endeavour to pursue fairness, impartiality, and accuracy throughout the report.

### **AVOIDING LIBEL SUITS**

A successful libel suit can cause an individual, or organisation much harm and fortunes. The following are tips on how to avoid the troubled waters as supplied by Mencher (1996:402).

1. Confirm and verify all possible defamatory materials. A writer should double-check anything that questions a person’s fitness to handle his or her job, alleges a person has committed a crime or has performed some act that constitutes a crime, implies or directly states that a person is mentally ill or has a loathsome disease.
2. Make sure that questionable materials can be proved.
3. Be especially careful of arrest reports, damage suits and criminal court hearings. These stories cause more libel suits than all others, and almost all the suits are the result of careless reporting or writing. Check names, addresses; make sure the defendant and plaintiff are properly identified.
4. Don’t try to sneak in defamatory materials with such words as allegedly or reported – these words are to protections against libel.
5. When charges and accusations are made in privileged situation, it is a good idea to check with the person being defamed. This extra check demonstrates your fairness.

6. Don't colour an article with opinions. Watch out for personal enthusiasms that cause you to lose control of the writing.
7. Be careful of statements made by Police or court officials outside court.
8. Trust is a defence, but good intentions are not. You may not have meant to defame someone, but when your well-intended writing proves to be untrue, your intention is not defence.
9. A retraction of an error is not a defence. At most, it could lessen damages and eliminate punitive damages.
10. Watch out for words that a court may hold to be libellous.

### **CONCEPT OF PROFESSIONALISM**

Professionalism is the application of moral principles in the discharge of duties, in order to satisfy society and accomplish the target of the employer. It involves rational judgments, adherence to codes, respect for laws, observance to ethics, propagation of social responsibility and a craven desire to conform to the tenets trade and society, Owums (2008:282).

Professionalism in journalism has been described and explained in, perhaps as many ways as there are mass media units and individual practitioners. As far as that goes, the diversity is high. But there seems to be a healthy unit in the belief that there is need to exhibit the highest professional standards of journalism. Epic heroes tend to help foist standards and remain focal points for any journalist who wishes to live up to the expectation of his profession.

From the above, this is what I consider the main pillar upon which professionalism stands; and they are:

1. Recognition of the sacredness of truth and freedom.
2. Avoidance of libel, sedition, deliberates distortion, bad taste and salaciousness.
3. Respect for societal norms and laws of the land.
4. Keeping clear of corrupt practices.
5. Protection of source of information at all cost.

With these in mind, no further definitions seem necessary and any journalist who is able to live up to the above precepts can be described as a professional.

### **PROFESSIONALISM IN BROADCASTING**

Practitioners in broadcasting have a skill, which the medium requires in the production of its programmes, for audience consumption.

However, Tony Momoh (1996:48) tells us that inter-related areas are vital in the definition of a profession. According to him:

- There must be a body of knowledge that must be imbibed.

- There must be a procedure for accreditation of members.
- There must be register of members.
- There must be a code of conduct that the members must abide by, in their dealing with themselves and others.

The procedure for accreditation stipulates who is qualified to be recognised as a practitioner and by implication be resistible as a member of a professional association.

Professionalism demands a responsibility, based on ethical application of knowledge, expertise and experience, towards the service of humanity and society. It is responsible oriented. It is determined by specific rules and regulations, as the codes of ethics, acceptable to all persons performing similar roles. It is like Doctors saving lives, teachers imparting knowledge or lawyers advocating or soliciting clients' interests.

The unity and strewed moderation of performance, makes the profession to soar above the troubled waters of castigations, complaints and sanctions. Self-regulation and ethical judgments, aid the stations to instil professionalism in the conduct of their staff and the quality of programmes they produce for the public consumption.

## **ROLE OF JOURNALISM AND COMMUNICATION**

Organised and modern journalism and mass communication in Nigeria is 53 years old (1959 – 2012). It is, therefore, mature enough to play a significant role in helping us to build the new Nigeria we all need.

Nigerian journalism and mass communication should consolidate its past and present strengths and achievements, and find solution to its past and present problems and weaknesses. Politically, for instance, Nigerian journalism should emphasis and improve its beautiful record of helping to fight for and win political independence from Britain in 1960 when the profession were “among the main influence in the awakening of racial and political consciousness” in Nigeria, Ikechukwu Nwosu (2005).

## **THEORETICAL OVERVIEW/FRAME WORK**

The dominant theories of ethics provide a strong framework for the analysis of issues raised in this study. The theories according to Merrill (1974) are absolutist realist, deontological teleological, legalistic and situational theory.

These theories are explanatory in the sense that they give reasons why human beings take whatever moral decisions they arrive at in their relationships with other people.

Hence, it is Lambeth's (1986) view that for the journalist who has personal concern for moral professional conduct, ethical theories provide strong and effective position from which to consider important ethical decisions in mass communication.

For the professional journalist who is guided by the absolutist theory, he or she accepts in principles that there are moral universals, which should form the basis for the articulation of a universal and eternal code in journalism such as truthfulness, fair play, accuracy, balance and objectivity.

Teleology, on the other hand, holds that the yardstick for measuring the rightness or wrongness of an action depends on the consequences which the action will give rise to. The deontologist however, holds a contrary belief, in the sense that the journalist who is guided by this theory accepts in principle that the judgment of whether an action is good or bad should be based on the action itself and not on the consequences.

Whereas the legalistic or code of ethics is an absolute or objective ethical system based largely on tradition, social agreement or moral code.

Finally, the situational theory is the synthesis theory of ethics, but departs from it anytime he or she thinks it is best to do so in public's interest.

## CONCLUSION

Nigerian press has evolved some ethical codes for the practice of journalism in the country. Most of these codes of conduct are the expectations, contractual responsibility, social responsibility and obligations to comply with the letters of the profession on the part of the journalist.

Summarily, the Nigeria press ethical codes of conduct are expected to provide professional guidelines for pressmen in the performance of their functions. Such code will include, respect for the truth, respect for the freedom of individual and avoidance of libel and sedition and maintenance of good image both in conduct and appearance.

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