



4 Media Ethics and Law

Chapter Highlights

- ✓ The code of ethics followed by professional journalists to do their jobs responsibly and with credibility
- ✓ The routines and practices journalists use to manage and maintain a foundation of trust in their four key relationships with sources, stories, editors and producers, and the public, along with the uniqueness of each of these relationships
- ✓ Media law and the major defences in libel suits and the different types of classifications of damages and injunctions as remedies in libel cases
- ✓ The Journalistic Source Protection Act and the responsible communication ruling in defamation law as newer legal additions
- ✓ The four areas of source attribution
- ✓ The ethical considerations and decision-making involved in covering tragic events and how to communicate with empathy and humanity with victims in grief
- ✓ Reporting responsibly about terrorism
- ✓ How journalists' rights to gather and publish information are affected by privacy laws

Learning Objectives

In this chapter the student should learn to do the following:

- Recognize the journalistic code of ethics
- Define “defamation”
- Tell the differences between libel and slander
- Explain each of the major defences to libel
- Demonstrate ethical and legally sound decision-making
- Recognize and appreciate privacy laws in newsgathering

Class Exercises

1. Use class-time to show students how to use the Canadian Information Legal Institute website <https://www.canlii.org/en/>. (For additional help on to use CanLii, the organization has many guides accessible at <https://www.canlii.org/en/info/help.html>). After students have been shown the tips and tricks needed to navigate CanLii, give them an assignment to research and gather court documents available on CanLii that show the process of a decided case through the court system.
2. Students can discuss the knowledge they gained through their research of a particular the case and the documents they find can be used for further instruction on how to read court documents to the get essential facts to write an informative, credible news story about the case that the general public would understand.

Case Study

Jobb, Dean. n.d. “Court Rulings Dissect Responsible Communication Defence.” *J Source*. <http://j-source.ca/article/court-rulings-dissect-responsible-communication-defence/>

Dean Jobb, an associate professor of journalism at the University of King’s College in Halifax, is author of *Media law for Canadian Journalists*. This article on explains the significance of the responsible communication decision to Canadian journalists and how the libel defence is being interpreted.

Useful Links and Websites

The Canadian Legal Information Institute (CANLII). <https://www.canlii.org/en/>

“Ethics.” The Canadian Association of Journalists (CAJ). <http://caj.ca/Ethics>

“Privacy Laws in Canada.” Office of the Privacy Commissioner of Canada. <https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/>

Journalistic Sources Protection Act (s.c. 2007, c. 22). https://laws-lois.justice.gc.ca/eng/AnnualStatutes/2017_22/FullText.html

“Defamation Law.” *A–Z: Best Sources in Canadian Law by Topic*. Bora Laskin Law Library Research Guides. <https://guides.library.utoronto.ca/c.php?g=250653&p=1679836>