

University of the Witwatersrand

MA Journalism and Media Studies Research Report

The requirements of ethical journalism: An analysis of
COVID-19 related news coverage by South African print and
online media

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Abstract

The media provides people with medical scientific information during a health crisis. This function of the media is even more crucial when there are lockdown restrictions as seen during the COVID-19 pandemic. Previous studies of media coverage of pandemics show that reporting was generally negative in that the stories were of an alarmist nature and there were high levels of sensationalism. The compromised standards of reporting could be attributed to the need for print and online news media outlets to attract audiences and increase profits given the bad state of the economy, particularly during the COVID-19 pandemic. This study aimed to analyse the extent to which the South African print and online media met the requirements of ethical journalism, as set out in the South African Press Code, in their reporting on COVID-19. The researcher utilised a mixed methods approach as the study includes both qualitative and quantitative aspects. The data was collected through the Press Council's website and was sampled using the keyword COVID-19. In total, there were 105 complaints submitted to the Press Council of South Africa during March 2020 and March 2022. Out of the 105, the researcher analysed 13 complaints that were related to COVID-19 reportage made during the same period. This period includes the outbreak of the pandemic, the second wave, and concludes with the third wave which is when the pandemic began to wind down. The results and findings of this study show that the number of complaints submitted during the pandemic was significantly low and that the publications that breached the Press Code were mainly sanctioned for serious breaches. This suggests that print and online publications that subscribe to the Press Council practiced ethical journalism and adhered to the requirements of the Press Code to a moderate extent.

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Chapter 1: Introduction

1.1 Introduction and background

In March 2020, the COVID-19 virus which had been spreading in other parts of the world emerged in South Africa. With rising confirmed cases and death tolls across the world, the World Health Organization (WHO) declared the outbreak of the coronavirus a global emergency (WHO, 2020). Due to various contributing factors, the transmission of the virus within South Africa gradually increased after the first case was recorded on the 5th of March 2020 (Health-eNews, 2020). In less than 12 months, more than 1.5 million people had been infected with the disease during the first and second waves (COVID-19 Online Resource and News Portal, 2020). To mitigate high local transmission, the South African government declared a state of disaster, and a national lockdown was imposed in March 2020 (BusinessTech, 2020). This involved the closure of educational institutions, travel restrictions, prohibition of gatherings, curfews, the closing of public facilities, and overall restriction of some economic activities (Ramaphosa, 2020). Around the globe, the COVID-19 pandemic gave rise to numerous interrelated challenges, one of them being the high circulation of disinformation related to the pandemic (De Witte, 2020; Frenkel et al., 2020).

During the outbreak of the virus, journalism gained prominence as a tool that was used to disseminate information about the pandemic (Wasserman et al., 2021). For many years journalism has had three critical roles in society. Firstly, it provides people with information to ensure that everyone can make responsible and informed decisions (Akinwale, 2012). Secondly, it serves as a watchdog function of ensuring that public officials are held accountable for their actions (Akinwale, 2012). Contemporary scholars of media studies also suggest that the media have a third function which is to provide a platform for public discussion and debate which facilitates the formation of public opinion (Mufune, 2015). These functions are critical and must be kept in mind when analysing media coverage. During the COVID-19 pandemic, the South African media played a pivotal role in providing the public with health information (Wasserman et al., 2021). Some scholars suggest that media reporting of COVID-19 influenced the attitude of the public towards the virus through the dissemination of prevention methods and overall efforts to mitigate the virus (Wasserman et al., 2021).

Panic, fear, agitation, and uncertainty caused by the outbreak of this disease led to an uncontrollable spread of misinformation, rumours, and hoaxes (De Witte, 2020; Frenkel et al., 2020). As a result, the South African government introduced regulations that criminalised the publication of COVID-19 related information that is created to mislead or deceive other people (Fish Hodgson et al., 2020). Any person who was found guilty of breaching this law could be expected to pay a fine or face six months of imprisonment (Fish Hodgson et al., 2020).

It must be noted that COVID-19 is not the first health crisis to prompt the scrutiny of media coverage (Wasserman et al., 2021). Before the outbreak of the COVID-19 pandemic, various health emergencies severely affected human health and living. These pandemics include the Plague of Justinian, the Black Death, Cholera, Spanish flu, Russian flu, Asian flu, and Hong Kong flu (Piret & Boivin, 2021). The terms epidemic, pandemic, and outbreak are used frequently during health a crisis. According to Grenman (2019) the terms are used as descriptions for the occurrence of a health emergency and relate to the predicted rate and spreading of the disease in different locations. Piret & Boivin (2021) argue that the term outbreak refers to an increase in the number of people becoming infected with the disease. On the other hand, an epidemic describes a health condition that spreads within a specific geographic location while a pandemic is a health crisis that spreads globally.

Various studies (Grant, 2005; Mubandarikwa, 2018; Wasserman et al., 2021; Lamprecht et al., 2022) have been conducted to scrutinise media reporting during a health crisis. The findings of these studies show a negative trend specifically concerning the style of reporting during the outbreak of a disease. The studies are discussed in greater detail in the literature review. The conclusions reached by the aforementioned researchers indicate that there is a need for insights into how news media outlets can respond effectively to their functions during a health crisis.

1.2 Problem statement

Over the last few years, some print and online news media outlets in South Africa and other parts of the world have witnessed declines in readership figures (State of the Newsroom 2021; Rumney, 2022; Newman, 2023). For print media, initially, the trend was attributed to the advent of the internet (Rumney, 2022). On the other hand, news websites have struggled to keep news users engaged due to growing video-led platforms like TikTok where news content

can be delivered in an 'informal' manner (Newman, 2023). The situation for print and online news media outlets was further exacerbated by the outbreak of COVID-19 and the subsequent lockdown regulations (Abarder, 2020). As a result, numerous print and online news media outlets had to reevaluate their business models, cut salaries, retrench their staff, and in some cases, shut down completely (Muhindo, 2020; Jooste, 2020).

According to Boykoff and Yulsman (2013), shrunken newsrooms mean there is not enough staff, and the available journalists have more work with shorter deadlines. The economic pressures have also resulted in a gradual relaxation of the beat system in newsrooms. In other words, a journalist is expected to write about a wide range of topics even if they fall outside of their specialisation area. Researchers McChesney (2008), Project for Excellence in Journalism (2008), and Wasserman et al. (2021) have argued that the state of the economic climate is leading to the degradation of important journalism principles and ethics. This can be attributed to the urgent need for newsrooms to generate profits. Consequently, some journalists resort to using an alarmist and sensationalist writing style to attract audiences and keep advertising revenue as seen during the COVID-19 pandemic (Wasserman et al., 2021). This type of reporting may lead to violations of the ethics of journalism. This study explored if there were any violations, and if so, to what extent and what were the type of the transgressions.

1.3 Research aims

The overall objective of this research study is to contribute to existing knowledge about the practice of ethical journalism by the media during health crises.

1.4 Research Objectives

- To determine the percentage of complaints on COVID-19 related news articles submitted to the Press Council during the pandemic from March 2020 to March 2022.
- To establish what the rulings made by the Press Council suggest about reporting by the South African print and online media during the COVID-19 pandemic.
- To identify the main violations of the ethical code in print and online media reporting during the COVID-19 pandemic

1.5 Research questions

1.5.1 Main Research Question

To what extent did South African print and online media meet the requirements of ethical journalism in their reportage of the COVID-19 pandemic?

1.5.2 Specific Research Questions

Three sub research questions will underpin the study, as follows:

1. What is the percentage of complaints on COVID-19 related news articles that was submitted to the Press Council during the pandemic?
2. What do the rulings made by the Press Council suggest about reporting by the South African print and online media during the COVID-19 pandemic?
3. What were the main violations of the ethical code in print and online media reporting during the COVID-19 pandemic?

1.6 Definition of Key Concepts

This section aims to explain recurring concepts in this study. The definitions are not exhaustive but rather explain how the concepts are used in the context of this report. The key concepts include ethical journalism, COVID-19, South African journalism, and Press Code.

Ethical journalism: The term is used within the context of health crises or pandemics and applies specifically to print and online media. It refers to comprehensive reportage that provides in-depth coverage of matters related to health crises (Edwards, 2022). This concept also refers to reportage that avoids intentional distortion of information and sensationalism (Wasserman et al., 2021). Overall, ethical journalism involves adhering to all aspects of the South African Press Code.

COVID-19: An infectious flu-like virus caused by SARS-CoV-2 (WHO, 2020) . It first emerged in 2019 and spread to various parts of the world. In most countries, a lockdown was imposed to mitigate the spread and consequences of the health crisis (BusinessTech, 2020).

South African Journalism: The term denotes the journalism practiced in South Africa.

Press Code: Refers to guiding principles for journalists to use in their work of collecting, preparing, and distributing news. Application of the Press Code ensures that journalists strive for the truth, avoid unnecessary harm, value human dignity, and reflect multiple voices in stories (Press Council, 2023).

1.7 Chapter layout

In Chapter 1, the researcher focuses on providing context and motivation for this study. The chapter introduces the study by outlining the problem statement, research questions, and objectives.

In Chapter 2, the researcher reviewed literature to analyse how the media has handled reporting during previous health crises in South Africa and other parts of the world. The role of the media in a democratic society is discussed. The evolution of media law and ethics in South Africa was analysed. The researcher also examined the South African Press Code and how it has been used.

The next section, Chapter 3, was used to discuss and motivate the selected research approach, empirical method, and data analysis technique.

Additionally, Chapter 4 was used to present the findings of the study. More specifically, it goes into detail about complaints submitted to the regulatory body, the transgressions, and verdicts that were made by the Press Ombudsman.

Finally, in Chapter 5, the researcher provides answers to the research questions. It was also determined whether the researcher's objectives were met. Moreover, the study limitations were discussed.

Chapter 2: Literature Review

2.1 Introduction

In this chapter, the researcher focused on reflecting on the role of the media in democratic societies, the evolution of media law and ethics, and the advent of online media in South Africa. Additionally, the chapter unpacked the evolution of press regulation in South Africa and analysed the latest edition of the Press Code. Finally, and most importantly, the researcher reviewed studies that examined past media coverage of health crises from international, continental and domestic perspectives. The literature that was analysed shows that there are various factors that influence media coverage of health crises including cultural contexts, political influence, media ownership, and geographic location.

2.2 The role of the media in a democratic society

Several countries around the world have adopted a democratic social system that is characterised by decentralising power from one person or a collective body and allowing ordinary citizens to contribute to decision-making processes (Skouras, 2012). In other words, without contributions and active participation from members of the public, democracy cannot exist. In a normative democratic society, information is key to ensuring that people are well-informed and have deep knowledge about societal issues to make important decisions (Riaz, 2010). In this regard, the mass media, specifically news media, have become an important part of present-day societies as they provide people with information.

Apart from providing information, the media have the power to shape what people should think about as it sets the agenda for their audiences (Riaz, 2010). This power is achieved through the selection of stories that are published and the emphasis or importance placed on each news item (Skouras, 2012). Additionally, news media also provide interpretations of news events. According to Barthel and Gottfried (2016), interpretation gives audiences “guidance in navigating all the information that comes at them”. The selection, evaluation, and interpretation processes that happen in newsrooms contribute to the formation of public opinion (Skouras, 2012).

The media is often referred to as a watchdog. This description points to the media’s key role in checking the activities of public officials to hold them accountable for their actions

(Akinwale, 2012). The watchdog role may lead to investigations and uncovering of events that have an impact on political developments in a democratic society. For example, if a political leader is exposed for being involved in acts of corruption, the information published by the media may influence whether or not citizens vote for the candidate during elections. Skouras (2012, p.3) further argue that the watchdog function of the media “may occasionally transform the media from transmitters to originators of political events”. In recent times, however, there have been growing concerns about the lack of adherence to ethical standards to guide journalists in their work.

2.3 The evolution of media law in South Africa

In the past, the media was largely controlled by the government. There were laws put in place to determine what could or could not be published in newspapers especially if the articles had something to do with government activities or performance (Matsebatlela, 2009). Laws such as the Publications Act of 1974 prohibited journalists from publishing certain information without receiving approval from the government. The Criminal Procedures Act of 1977 allowed for the prosecution of journalists if they refused to reveal confidential sources. Moreover, the National Defence Act of 1957 prohibited the publishing of certain comments or statements about the South African Defence Force (GCIS, 2012).

During this era, if a newspaper published more than 11 times in a year, the news media outlet was required to apply for registration and make arbitrary payments (Matsebatlela, 2009). The 1980s marked a tense period of the apartheid era. Two states of emergency were declared, and censorship regulations were tightened. National and international newspapers were not allowed to report on the social unrest that was taking place in the country. If they did, the news media outlet would be forced to close down (Matsebatlela, 2009). The threat of closure forced newspaper editors to practice self-censorship.

The collapse of the authoritarian government system led to the birth of the Constitution. Although a constitution existed during the Apartheid era it created separated parliaments based on race. The new constitution is the supreme law in the country and it applies to all people as well as organs of government (Constitutional Court of South Africa, 2024). It also guarantees freedom of expression which allows the media to operate independently. Section 16 of the Constitution of South Africa states the following:

“(1) Everyone has the right to freedom of expression, which includes—

(a) freedom of the press and other media;

(b) freedom to receive or impart information or ideas;

(c) freedom of artistic creativity; and

(d) academic freedom and freedom of scientific research” (Department of Justice and Constitutional Development, 1996).

As earlier stated, this section of the Constitution protects the freedom of the media. South Africa has been ranked as the 25th country with the most free and independent press (Reporters without Borders, 2023). The country that is just ahead of South Africa is France at number 24. The United Kingdom is ranked at 26 which puts South Africa ahead of it (Reporters without Borders, 2023). It is also worth noting that South Africa is the second country with the freest press media in the African continent (Reporters without Borders, 2023).

2.4 The advent of online media

Digital media or online media is a method of journalism that uses the internet and technology to share editorial content (Akinwale et al., 2017). This differs from traditional media such as newspapers which rely on paper printing to broadcast messages. Around the globe and in developing countries like South Africa there has been increased adoption of online journalism. Some of the most popular online news media sites in South Africa include *News24.com*, *iol.co.za*, *Yahoo.com*, *The Citizen*, and *Timeslive* (Similarweb, 2023). More news media outlets and journalists have migrated and embraced online journalism to stay active and relevant in the transforming news media industry. The increase in the adoption of online journalism can be attributed to easy accessibility and reduced costs involved in distribution (Akinwale et al., 2017).

Dueze (2013) argues that three main features strengthen online media when compared to traditional media. Namely interactivity, multimediality, and hypertextuality (Dueze, 2013). Interactivity refers to the audience’s ability to interact through comments on the content shared. On the other hand, multimediality points to the different forms in which news content can be shared such as audio, text, videos, and images. While hypertextuality refers to the news

media sites that connect stories through hyperlinks (Akinwale et al., 2017). These features of online media have created avenues for news readers to engage with news content at a level that newspapers could not offer in the past. Audiences can now comment after reading an article and engage with other readers who are interested in the same subject (Deuze, 2013). Additionally, it allows journalists to provide materials that support articles through pictures, videos, and audio recordings. Moreover, it enables news media outlets to share breaking news within seconds and reporters can provide more information as a story develops (Ferrucci, 2018). However, even with all the advantages of online media it also has some downsides associated with it.

As highlighted earlier, online journalism relies on the internet for its existence. The internet particularly through social media has granted every individual a possible opportunity to create content and publish it online (Bessi et al., 2015). This could increase the possibility of Press Code breaches. Contrary to traditional and online forms of journalism where information has a greater chance of being investigated and verified before it is published, social media has enabled content creators to skip the intermediation process (Bessi et al., 2015). This results in increased circulation of misinformation and disinformation online (Ireton & Posetti, 2018:15). This has become a problem for journalism as more journalists are using social media to find story ideas, identify sources, and solicit public opinion on a topic (Ferrucci, 2018). Therefore, journalists, in the modern online media context, could become targets of lies, rumours, and hoaxes (Ireton & Posetti, 2018). This could potentially lead to breaches of the Press Code if thorough research is not done.

2.5 International media coverage of pandemics

Several factors influence international media coverage of pandemics. These factors include media ownership, geographic location, cultural contexts and political influence (Beaudoin, 2007). Global news media outlets tend to focus on covering health issues that could present health and economic threats. Meanwhile, smaller news media outlets place emphasis on government actions and reactions from the public (Wu, 2006). In a study conducted by Le Yao and Singh (2022) the researcher compared coping strategies and emotions portrayed in the *New York Times* (US) and *People's Daily* (China) during the COVID-19 outbreak. The findings of this study show that the *People's Daily* had more coverage on coping strategies than the *New*

York Times. The study also showed that *People's Daily* covered more stories that involved positive emotions than the *New York Times* which evoked negative emotions in their coverage (Le Yao & Singh, 2022).

The findings of the study by Le Yao and Singh (2022) align with a similar study that examined how Chinese and US news media outlets framed the HIV/AIDS pandemic (Wu, 2006). The key findings revealed that the Chinese news media outlets portrayed the pandemic in a positive manner, focusing on the actions that government was taking to resolve the crisis. On the other, US news media outlets portrayed the pandemic in a negative light projecting fear and anxiety (Wu, 2006). During the outbreak of the Zika virus in Brazil, media coverage varied. Some news media outlets in Brazil focused on covering the impact of the virus in local communities while other news media outlets emphasised the global impact of the health issue (Jamieson & Rivera, 2021). Most of the coverage by local news media outlets focused on preventative measures such as eradicating mosquitos and controlling microcephaly (a condition associated with the Zika virus. (Jamieson & Rivera, 2021).

In certain instances, media coverage of a pandemic can also be influenced by political and social factors. Global pandemics can be an extensive threat to the health of humans. They can trigger panic and fear particularly when the disease spreads easily and becomes difficult to contain. To maintain control government officials try to show that they are confident and have a plan to mitigate the crisis (Edwards, 2022). News media outlets investigate actions by the government while providing the public with information about the pandemic. This allows journalists to hold public officials accountable while providing the public with accurate information (Vaughan & Tinker, 2009). However, in parts of the world that have restricted media freedom, coverage is controlled. In Russia, local journalists experienced difficulties in fulfilling their responsibilities of disseminating credible information on the COVID-19 pandemic. According to Erzikova and Lowrey (2023) journalists could only make use of information published by the government which downplayed the dangers of the virus and had no explanations of government preventative measures. As a result, the journalists were placed in a difficult position as they were expected to report on the health crisis in a manner that downplays the risk which could lead to public ignorance (Edwards, 2022). According to Vaughan (2011) when people do not see the direct impact of a crisis on them, they are less

likely to change their attitudes and behaviours. For example, if an individual does not understand how a virus like COVID-19 could have an impact on their lives then they are less likely to stay indoors during lockdown, wear a mask, or practice social distancing. Any information that did not align with the government narrative was labelled as “fake news” and anyone who shared contradictory information would face imprisonment for up to 5 years (Litvinova, 2020).

Around the world, media coverage of pandemics has been impacted by the existence of digital media. Although it has allowed for swift sharing of information it has also created challenges associated with the spread of misinformation and disinformation. The term infodemic was coined to describe the situation (Cinelli et al., 2020). Social media can play a role in influencing public awareness, understanding, and responses (Sharma et al., 2017). During the outbreak of the Zika and COVID-19 outbreaks, some of the information shared on social media increased panic and fear among people (Cinelli et al., 2020; Sharma et al., 2017). The challenges posed by digital media show the importance of ethical journalism particularly during a health crisis. Therefore the analysis of media coverage of health crises can help media practitioners identify common journalistic issues and find solutions to avoid hard criticism as well as discredit of a specific news media outlet.

2.6 Media Coverage of Pandemics in Africa

As stated previously, news media outlets play a critical role in creating awareness and meaning during a health emergency. Often people in different parts of the world interpret a pandemic based on news coverage (Pan & Meng, 2016). This ultimately influences their attitudes and behaviour towards the disease. The African continent has not been excluded from the outbreak of pandemics. Some of the pandemics and outbreaks that have affected Africa include HIV/AIDS, Cholera, Ebola, Malaria, Yellow Fever, Meningitis, H1N1 and COVID-19 (WHO, 2024).

According to Kagaayi and Serwadda (2016) HIV/AIDS existed in Africa by 1983 but it was only discovered later in most parts of Africa. In a study titled *Media representation of women and HIV/AIDS*, Qakisa (2001) argued that media coverage of HIV/AIDS is often skewed as those affected by the disease are presented as sinners, prostitutes, homosexuals, and people who

have multiple partners. The author of the study also argued that such media messages become a challenge for campaigns aimed at changing public behaviour and attitude. As a result, stereotypes are perpetuated and some people become misinformed (Qakisa, 2001). The findings of Qakisa's (2001) study are similar to the results of another research report which analysed the role of mass media exposure on Malaria prevention behaviour in Sub-Saharan Africa (Yaya, Uthman, Amouzou & Bishwajit, 2018). The results of the study show that when people did not get information on Malaria from mass media platforms they were less likely to take preventative action like using nets and taking medicine (Yaya et al., 2018). The studies discussed in the paragraph highlight the media's role in creating awareness and influencing behaviour.

Mubwandarikwa (2018) analysed media coverage of the Ebola virus outbreak in Guinea, Liberia, and Sierra Leone by *News 24* and *Times Live*. The researcher made use of agenda-setting and framing as the theoretical foundation of the study. Following an analysis of data, the researcher found that news media outlets avoided reporting on a story if it did not have a direct impact on South Africans since the outlets are largely based in South Africa (Mubwandarikwa, 2018). The author further contends that it was largely the voices of the "elite audiences" that were represented in the news articles (Mubwandarikwa, 2018, p.66). This means the viewpoints of ordinary people were limited. Since journalists relied mainly on government officials, corporate spokespeople, academics, experts, and authorities for information on Ebola, most stories published by the newspapers were unoriginal (Mubwandarikwa, 2018).

Likewise, Smith & Tietaah (2017) conducted a study that analysed media coverage of Meningitis outbreaks in Ghana. The researchers focused on news frames, prominence and sources of information at two news media outlets. The findings of the study revealed that stories related to Meningitis in Ghana were not prominently displayed online, sources that were featured were largely government representatives and health officials (Smith & Tietaah, 2017). In terms of framing, most of the articles focused on the number of deaths, risks, and consequences which according to the authors contributed to a "sense of alarm and panic" about the disease (Smith & Tietaah, 2017, p.314).

The articles that were analysed in this section show some important insights into media coverage of pandemics in Africa. News media outlets play a critical role in influencing public awareness, understanding, and behaviour during a health crisis. While the media can encourage good habits, the media can also perpetuate stereotypes and stigmatisation of people affected by a particular disease as seen with HIV/AIDS coverage. Additionally, when the media mainly features government officials and experts as sources of coverage this can limit diverse viewpoints, especially of ordinary people. Moreover, the studies show that an over-emphasis on negative coverage can create unnecessary panic which can further complicate the health crisis.

2.7 South African media coverage of pandemics

Although COVID-19 was a severe global health crisis, it is worth noting that it was not the first health crisis to prompt studies on media coverage. In a study titled *An analysis of South African print media framing of people living with HIV/AIDS*, Grant (2005) used the critical political economy to explore the impact of economic and political constraints on the content of newspapers. The findings of the study showed that newspaper reporting of HIV/AIDS usually focused on race and gender (Grant, 2005). This means the picture painted of people living with the disease are usually black, female, and poor. Most of the sources quoted in the articles are official sources such as government and health experts (Grant, 2005). People who are living with the disease do not have a voice in the articles. The author also argues that the language used in the reports is stigmatising (Grant, 2005).

Similarly, Lamprecht et al. (2022) studied media coverage of the listeriosis outbreak in South Africa. The authors analysed the content of 91 listeriosis related newspaper articles. Using the social attenuation of risk and gatekeeping theories, the researchers found that most of the articles focused on controversial stories, and only some best practices for risk messaging were adhered to. According to Palmer et al. (2016), there are seven content requirements or best practices for information about health issues published through mass communication channels. The seven requirements for crisis or risk communication about health issues include “what is known (1), not known (2), and how and why the event occurred (3). Furthermore, risk messages are also required to promote action (4), and express empathy (5), accountability (6), and commitment (7)” (Lamprecht et al. 2022, p.70).

The outbreak of the coronavirus changed journalism routines and practices (Jurkowitz, 2020). Traditionally, part of the work of a journalist involved going out into the field to collect data for a story. Due to lockdown restrictions and the unavailability of resources, during the pandemic, there was a limited amount of self-generated original news as journalists in some instances had to rely on the public relations machinery, particularly by the South African government (Wasserman et al., 2021). Even so, it is important to highlight the key role that the media plays during a health crisis (Sell et al., 2016). According to Wasserman et al. (2021, p.334) the media “act as a key source of health information for the public”. Other researchers, such as Zhou et al. (2020) suggest that media reporting can influence public attitude toward a disease and awareness of protection methods. As earlier highlighted, several studies have been done on media coverage during an epidemic or pandemic (Grant, 2005; Mubandarikwa, 2018; Wasserman et al., 2021; Lamprecht et al., 2022). Although the researchers whose works were reviewed did not incorporate ethics and the Press Code into their studies, much of the research shows a negative trend in terms of reporting.

Wasserman et al. (2021) conducted a study titled *South African newspaper coverage of COVID-19: A content analysis*. In this study, the researchers analysed 681 front page news stories from eleven newspapers. The news articles were criticised for episodic reporting (Wasserman et al., 2021). This refers to reporting that focuses on an event without providing context or in-depth analysis (Ogbodo et al., 2020). Not only was the reporting labelled as episodic, but the findings also showed that the articles had elements of sensationalism. In relation to sourcing patterns, most of the articles cited the government or men in power (Wasserman et al., 2021). This highlighted inequalities and the severe impact that COVID-19 had on the poor.

In terms of the South African Press Code, Akinwale (2012) in a study titled *The South African Press Code and Investigative Journalism: An In-depth Study of the Sunday Times*, looked into the application of the code by investigative journalists at the *Sunday Times*. The researcher aimed to mainly explore four areas in relation to the Press Code. Firstly, the extent to which journalists are familiar with the code. Secondly, how it informs the decisions they make. Thirdly, journalists’ attitudes and viewpoints about the Press Code. Lastly, the effectiveness of the guidelines for best practice. In the findings, Akinwale (2012, p.52) suggests that journalists who write for South African newspapers are aware of the Press Code, they have a “fair” idea of what it is used for. However, “most of them are not familiar with the actual content of the

document” (Akinwale, 2012, p.52). Consequently, they are not able to apply it to their work. The research report assists in contextualising the Press Code, and how it is received and used by journalists.

Section 1.2 of the Press Code of Ethics and Conduct for South African Print and Online Media states that news media outlets should avoid departing from the facts of a story “whether by distortion, exaggeration or misrepresentation, material omissions, or summarization” (Press Council, 2023). The issue of sensationalism and episodic reporting during the COVID-19 pandemic highlighted by Wasserman et al. (2021) points to possible transgressions of the aforementioned section of the Press Code. Wasserman et al. (2021) did not look at violations of the Press Code, per se, hence this study to look at whether the said sensational reporting reached levels of breaching the code. Additionally, researchers Grant (2005), Mubwandarikwa (2018), and Wasserman et al. (2021) have argued that the use of sources during a health crisis is often limited to government officials and experts. This means the narrative of the news articles may be inadequate or non-inclusive as they do not include the views of ordinary or affected people which may be a transgression of section 1.1 of the Press Code. Section 1.1 of the Press Code states the following: “The media shall take care to report news truthfully, accurately and fairly” (Press Council, 2023). Based on the literature that was reviewed, it can be argued that newspaper and online reporting of health crises has shown a negative trend. The work of Akinwale (2012) assists in identifying and understanding some of the factors that contribute to unethical reporting.

2.8 The South African Press Code

In South Africa, print media is mainly regulated by the Press Council of South Africa. The council was mainly established to protect the right to freedom of speech and expression as stated in the Constitution of South Africa (Press Council, 2023). Another reason for the inception of the council was to promote ethical journalism which does not cause unnecessary harm (Press Council, 2023). The Press Council of South Africa adopted the South African Press Code which according to Mokwena (2018) contains guiding principles for journalists to use in their pursuit of news. Application of the Press Code ensures that journalists strive for the truth, avoid unnecessary harm, value human dignity, and reflect multiple voices in stories (Press Council, 2023). They are important to the field of journalism as they have a great impact

on media credibility and maintaining news consumers' confidence (Shepperson & Tomaselli, 2002).

If a journalist does not meet the ethical requirements stipulated in the Press Code, a complaint can be submitted to the Press Council (Press Council, 2023). Generally, the complaint should be submitted within 20 days after publication of the article under contention. The complaints are received by the Public Advocate who decides whether or not the complaint is accepted (Press Council, 2023). A complaint is accepted if there is an evident breach of the Press Code. Once it has been accepted, the Public Advocate seeks to amicably resolve the issue by contacting the publication. If an agreement is not reached, the complaint is then sent to the Press Ombud Panel who then make the final decision (Press Council, 2023).

When a complaint is upheld, the Press Council has the power to sanction the publication based on a three-tier hierarchy (Press Council, 2023). For minor factual errors (Tier 1), the Press Council could demand an apology on the inside pages of a printed publication or landing page for online publications. Sanctions for serious breaches (Tier 2) could involve the Press Council cautioning or reprimanding the publication. Additionally, a correction, retraction, or explanation may be required. Complaints surrounding serious misconduct (Tier 3) could lead to the publication receiving a monetary fine, suspension, or expulsion (Press Council, 2023).

If the complainant or the publication is unsatisfied with the ruling, either party has an opportunity to appeal the decision made by the Press Ombud. If the appeal is granted the Chair of Appeals would convene a hearing to re-evaluate the case (Press Council, 2023). This study seeks to analyse the extent to which stories published by print and online news media outlets in South Africa during the COVID-19 pandemic met the requirements of ethical journalism as set out in the South African Press Code.

2.9 The history of press regulation in South Africa

After the apartheid era, news media outlets in South Africa relied on a self-regulation framework to guide the work of journalists (Rodny-Gumede, 2014). According to Akinwale (2012), self-regulation refers to media professionals who voluntarily come together to create editorial guidelines to which journalists will adhere to. These guidelines are not considered statutory (Akinwale, 2012). During the years 2002 and 2013, the African National Congress

(ANC) criticised the media's self-regulation framework and made several proposals for media regulation (Rodny-Gumede, 2014). The proposals included a Media Appeals Tribunal and the Secrecy Bill (Sindane, 2018). The ANC accused the media of publishing false information, a lack of professional standards, and unaccountability (Akinwale, 2012). The ruling party was of the view that these acts were a result of a lack of statutory regulation to hold journalists accountable for their actions (Akinwale, 2012). The complaints made by the ANC led to debates about the role of the media in society post-apartheid and press regulation. Several academics and media bodies contested the ANC's proposals for press regulation (Berger, 2010; Daniels, 2011; Duncan 2014).

As a result, in August 2010 the Press Council of South Africa put together a board that would investigate the viability of self-regulation for the press media (Press Council, 2010). After reviewing feedback and suggestions from the public, the panel changed the accountability mechanism from being classified as self-regulation to independent co-regulation (Press Council, 2011). The report stated that the media should be allowed to operate independently without government interference (Akinwale, 2012). Additionally, the report also argued that independent co-regulation can be beneficial for journalists in that the mistakes they make in their professional capacity are judged by their colleagues and not those in power (Akinwale, 2012).

Currently, the Press Council is associated with four organisations. Namely, the South African National Editors' Forum, the Association of Independent Publishers, the Interactive Advertising Bureau South Africa, and the Forum of Community Journalists. In terms of the council's composition, the Press Council is presided over by a retired judge who is usually recommended by the Chief Justice of South Africa. The judge works together with six individuals who are representatives of the four associated bodies as well as six other individuals who represent the public.

[2.10 A comparison of the 2007 and 2022 Press Code Editions](#)

Since the launch of the 2007 edition of the Press Code, the South African Press Code has been amended several times (Reid & Isaacs, 2015). Every year, adjudicators meet at a workshop to review the Press Code and decide whether there is a need to make amendments to the code based on changing case laws and media trends (Press Council, 2023). According to the Press

Council (2023), the latest edition of the Press Code has raised the standards for ethical journalism and has become an instrument used to promote quality journalism. The edition of the code published in 2007 included eight sections (refer to Appendix A). In contrast, the latest edition of the Press Code which became effective in 2022 includes fifteen sections (refer to Appendix B).

There are some similarities between the 2007 and 2022 editions of the Press Code (refer to Figure one). For example, the 2007 edition had a section that addressed reporting of news only. The latest edition also addresses reporting of news but now includes guidelines on the gathering of news. Similarly, the 2007 code merely addressed confidential sources stating that they should be protected by media professionals. The 2022 edition addresses issues related to confidential and anonymous sources. It explains that confidential sources should be protected and the use of anonymous sources should be avoided unless it is the only way to deal with a story (Press Council, 2023).

Advocacy, discrimination, and hate speech are addressed in both editions. While the 2007 Press Code referred to 'comment', the latest edition refers to 'protected comment' but the guidelines remained the same in both editions. Likewise, the edition launched in 2007 referred to payment for articles as well as violence. In the latest edition, the subheadings have been changed to payment for information as well as violence and graphic content. Additionally, both editions of the Press Code include guidelines on how journalists should handle headlines, posters, pictures, and captions. However, in the 2007 code, these guidelines were only applicable to print media. The latest edition applies to both print and online media hence the inclusion of video and audio content (Reid and Isaacs, 2015).

There are seven sections in the 2022 edition that were not included in the 2007 edition of the Press Code namely: Independence and conflicts of interest; privacy, dignity, and reputation; data protection; children; principles; prohibited content; and defence (refer to Figure one). These additions show that the Press Code addresses more issues than it did in the past. See Figure one for a tabulation of similarities and differences of the 2007 and 2022 editions of the Press Code.

2007 Press Code	2022 Press Code (Latest)
1. "Reporting of news"	1. "Gathering and reporting of news"
2. "Discrimination and hate speech"	2. "Discrimination and hate speech"
3. "Advocacy"	3. "Advocacy"
4. "Comment"	4. "Protected comment"
5. "Headlines, posters, pictures and captions"	5. "Headlines, captions, posters, pictures and video/audio content"
6. "Confidential sources"	6. "Confidential and anonymous sources"
7. "Payment for articles"	7. "Payment for information"
8. "Violence"	8. "Violence and graphic content"
	9. "Independence and conflicts of interest"
	10. "Privacy, dignity and reputation"
	11. "Data protection"
	12. "Children"
	13. "Principles"
	14. "Prohibited content"
	15. "Defence"

Figure 1: Table showing similarities and differences in 2007 and 2022 editions of Press Code

2.11 Theoretical Framework

The theory that will underpin the proposed study is the social responsibility theory which is a normative theory. The theory deals with issues pertaining to self-regulation and media accountability. According to Akinwale (2012), the social responsibility theory is part of media accountability as a meta-theory. Media accountability refers to independent efforts to raise

media standards while ensuring that the media is responsible to the public (Siebert & Schramm, 1956). The social responsibility theory is one of Siebert and Schramm's (1956) four theories that explain how the media is expected to operate in society. The social responsibility theory promotes media freedom while emphasising the need for professional self-regulation. It was developed when the power of the media to control what the public knows and decision-making was recognised (Siebert & Schramm, 1956). Therefore, the social responsibility theory came about as a way of ensuring that the media display social responsibility by representing all sides to a story and publishing enough information that would assist public citizens in making informed decisions.

McQuail (1987, p.117) posits that the principles of the social responsibility theory are:

- “Media should accept and fulfil their obligations to society.
- These obligations are mainly to be met by setting high or professional standards of informativeness, truth, accuracy, objectivity, and balance.
- In accepting and applying these obligations, media should be self-regulating within the framework of law and established institutions.
- The media should avoid whatever might lead to crime, violence, or civil disorder or give offence to minority groups.
- The media as a whole should be pluralist and reflect the diversity of their society, giving access to various points of view and rights of reply.
- Society and the public, following the first-named principle, have a right to expect a high standard of performance and intervention can be justified to secure the public good.
- Journalists and media professionals should be accountable to society as well as to employers and the market”.

Furthermore, the social responsibility theory rests on the following premises (McQuail, 1987):

- “The media have an important function of protecting and promoting democracy in society.
- The media are required to transmit information while creating a space for citizens’ viewpoints to be expressed.
- Media independence should be emphasised in equal measure to the media’s responsibility towards society.
- The media should meet high reporting standards”.

The media have a strong role in influencing how people understand what is going on around the world which consequently shapes society. Over the years, particularly during the COVID-19 pandemic, the media have been accused of distorting the truth, bias, cynicism, and invading people’s privacy (Ronning & Kasoma, 2002). The accusations undermine the public, democracy, and the functions of the media. Unethical journalism also creates a bad reputation for regulatory bodies such as the Press Council as members of the public start believing that the media is not held accountable for transgressions (Akinwale, 2012). The social responsibility theory as a normative theory helps by creating a guideline on how the media ideally ought to operate in society. This can assist in improving the quality of journalism by holding them accountable on multiple levels.

Chapter 3: Research Methodology

3.1 Introduction

This chapter aims to discuss in detail the research methodology used to guide the processes of collecting and analysing data. More specifically, the researcher focuses on discussing the research philosophy and research approach. Additionally, this chapter will unpack the research design, population and sampling as well as the data-collection method. Furthermore, the data analysis technique used in the study and ethical considerations will be presented. By providing details on the previously mentioned elements of the research methodology, this chapter will help other researchers and readers understand how the objectives of the study were achieved.

3.2 Research philosophy

Research philosophy refers to “a system of beliefs and assumptions about the development of knowledge” (Saunders, 2009:124). In other words, research philosophy involves principles that guide what should be studied, how it should be studied, and how the results should be interpreted (Bryman, 2012:630). According to Du Plooy-Cilliers (2021) there are three dominant research perspectives. Namely: positivism, interpretivism, and critical realism. This study adopts critical realism as a perspective to examine the extent to which South African print and online media met the requirements of ethical journalism in their reportage of the COVID-19 pandemic. Critical realism combines aspects of positivism and interpretivism and as a result is usually adopted for mixed-method studies. Critical realists hold that there is a single objective reality that exists in the world however, experiences can influence one’s understanding of the real world (Saunders, 2009).

Critical realism is a suitable perspective for this study. It allows the researcher to unpack and analyse the visible outcomes of media reporting and the social aspects that influenced ethical standards for print and online media in South Africa. Using aspects of qualitative and quantitative research allowed for a detailed analysis of the adherence to media ethics during the COVID-19 pandemic.

3.3 Research approach

The research methodology refers to the system or approach that a researcher will follow to find answers to research questions in an attempt to resolve the identified research problem (Budert-Waltz & Moffit, 2023). Simply put, the methodology is an explanation of what was done and how it was done. This allows readers to assess the reliability and validity of the research study (McCombes & George, 2023). According to Budert-Waltz and Moffit (2023), there are three methodologies in research. Research can either be conducted qualitatively, quantitatively or using a mixed methods approach.

Qualitative research involves the collection and analysis of non-numerical data to understand the experiences of a phenomenon (Bhandari, 2023). It is based on knowledge that is constructed instead of discovered (Aspers & Corte, 2019). On the other hand, quantitative research involves the collection and analysis of numerical data (Bhandari, 2023). Generally, it is used by researchers to make predictions, study patterns, and averages, and test relationships between variables (Bhandari, 2023). On the other hand, mixed methods is a research approach that combines the benefits of both qualitative and quantitative research. George (2023) argues that this type of research methodology can lead to more comprehensive answers to research questions especially if qualitative or quantitative data alone cannot provide sufficient outcomes.

It must be noted that even though there are three research methodologies that one could choose from, the type of approach that one uses in research is determined by the nature of the research and the overall objectives. Having weighed and analysed all three methodologies, this study will follow a mixed methods approach as it incorporates both qualitative and quantitative aspects. Mixed methods also align with critical realism, the research perspective discussed in Section 3.2. The quantitative research approach was used to determine the percentage of complaints submitted to the Press Council and the percentage of complaints that were sanctioned between March 2020 and March 2022. The researcher also collected numerical data to examine the number of complaints that were submitted and individual breaches of the Press Code for each publication. The numerical data assisted the

researcher in providing an overview of the most commonly breached sections of the Press Code and a comparison of the occurrence of violations between publications.

3.4 Research design

One of the decisions a researcher has to make involves choosing a suitable research design. Davis (2021) argues that a research design is like a plan that one uses to conduct a study. There are several research designs that a researcher could choose depending on the research objectives. The research designs include exploratory research, descriptive research, explanatory research, correlational research, predictive research and pragmatic research (Davis, 2021). For this study, the researcher will make use of the exploratory sequential design. This research design allows for the combination of qualitative and quantitative methods and analysis. The two-phase research design starts with qualitative data collection, the qualitative findings are then used to present quantitative insights on the topic under study (Edmonds & Kennedy, 2017).

This research design is suitable for the study for two reasons. Firstly, in previous sections of this chapter, the researcher indicated that the study would adopt critical realism as a research perspective and mixed methods for the methodology. Both these elements of the research methodology involve combining quantitative and qualitative aspects to enhance the study findings. Therefore, the researcher had to select a research design that would align with critical realism and mixed methods. Secondly, for this study, the researcher relied on rulings published by the Press Council which are qualitative. The researcher analysed the rulings and used the information to develop quantitative aspects. The research design enabled the researcher to comprehensively breakdown the results and findings of the study.

3.5 Population & Sampling

Population is the term used to describe the entire group of people or artefacts from which the sample is drawn (Babbie, 2021:199). On the other hand, sampling is the process of deciding who or what will be used to get answers to the research questions that underpin the study (Pascoe, 2021). Note that the sample becomes a subset that is representative of the larger population. In this study, the population consists of all published news coverage by South

African news media outlets related to the COVID-19 pandemic. However, given the large size of the population the researcher had to select a representative sample.

The sampling method that was used for this study was purposive sampling. It is categorised as a non-probability sampling method and is used when the researcher uses their expertise to select the sample based on the needs of the study (McCombs, 2023). This sampling method was suitable for the study since the study relies on the Press Council rulings on COVID-19 reportage for data. In other words, the researcher could only select cases about COVID-19 reportage with a published ruling. The timeframe applied to this study was limited to March 2020 to March 2022. This timeframe includes the start of the pandemic, second and third wave which is when the pandemic began to wind down. Therefore, articles that did not fall into this timeframe were not considered as the research focused on COVID-19 reporting. The rulings were critically analysed to give insights into the level of ethical professionalism that was displayed by print and online journalists. The findings of this research study will highlight the importance of upholding media ethics, particularly during a health crisis.

3.6 Data Collection

Taherdoost (2021) defines a data collection method as a process of collecting information to better understand the topic under study. Data collection methods can be divided into two categories, namely primary data collection methods and secondary data collection methods (Taherdoost, 2021). In terms of the data collection method, the researcher collected data from the Press Council of South Africa's website, and as previously indicated the data was sampled using the keyword 'COVID-19'. Although the researcher had planned to use a variety of keywords including 'coronavirus', 'corona virus' and 'COVID-19 pandemic' to yield maximum results on the website, these keywords led to zero search results. Sourcing data from the Press Council's website means the researcher made use of a secondary source for data collection.

3.7 Data-Analysis Method

According to Luo (2023), content analysis is a research method that is used to analyse and identify trends in communication records. Qualitative content analyses was used as a technique to analyse the data. Qualitative content analysis focuses on giving interpretations

of the text (Luo, 2023). In the context of this study, the qualitative content analysis process was used to establish nuances in the published rulings to determine the extent of violations and adherence to the Press Code by South African print and online media. The researcher looked out for the occurrences of certain words, concepts, subjects, and themes in the published rulings. The data was evaluated based on the meaning of concepts and words and the information was used to develop quantitative insights.

The rationale behind the decision to use content analysis was that the study sought to give an in-depth analysis of the ethical conduct of South African online and print media using a mixed methods approach. Ethical issues by print and online media are handled by the Press Council of South Africa (Press Council, 2023). The regulatory body publishes rulings on its website which include details about the complaint, the process used to adjudicate the complaint, the section that was breached, and the final ruling (Press Council, 2023). Therefore, since the study rests on ethical reporting in print and online media coverage during the COVID-19 pandemic, the researcher analysed the rulings made by the Press Council of South Africa.

3.8 Ethical considerations

Ethical considerations refer to principles in research that guide the research process (Bhandari, 2023). Ultimately, ethical considerations exist to protect the rights of research participants, increase the validity of the research study, and uphold academic integrity. Some common ethical principles in research include minimising all forms of harm, informed consent, confidentiality, anonymity, and voluntary participation (Bhandari 2023). In terms of research ethics, there were no ethical threats that were presented by this research study as the researcher relied on published documents for data collection. All the university's ethics guidelines were followed.

Chapter 4: Presentation of Findings

4.1 Introduction

This chapter presents the research findings that are mostly informed by the literature and theoretical discussion unpacked in Chapters One and Two. As indicated, the data used for this study was collected from the Press Council of South Africa’s website and sampled using the keyword “COVID-19”. The data was then analysed using both qualitative and quantitative content analysis. The chapter begins with a summary of all complaints sampled for this study. Additionally, this section presents a breakdown of complaints that were sanctioned, an analysis of breaches by publication, an examination of commonly breached articles of the Press Code, and concludes with an evaluation of complainant profiles.

4.2 Complaints related to COVID-19 reportage

As pointed out in previous chapters of this research report, this study aimed to analyse the extent to which print and online media met the requirements of ethical journalism in their reporting related to the COVID-19 pandemic. After searching the Press Council’s website, it was found that there were overall 105 complaints submitted between March 2020 and March 2022. The total excludes appeals and requests to reopen cases. Given the aim of the study, the researcher only considered complaints that related specifically to COVID-19 pandemic reporting. Therefore, out of 105 complaints, only 13 had a connection to the COVID-19 pandemic. See Figure 2 for percentages.

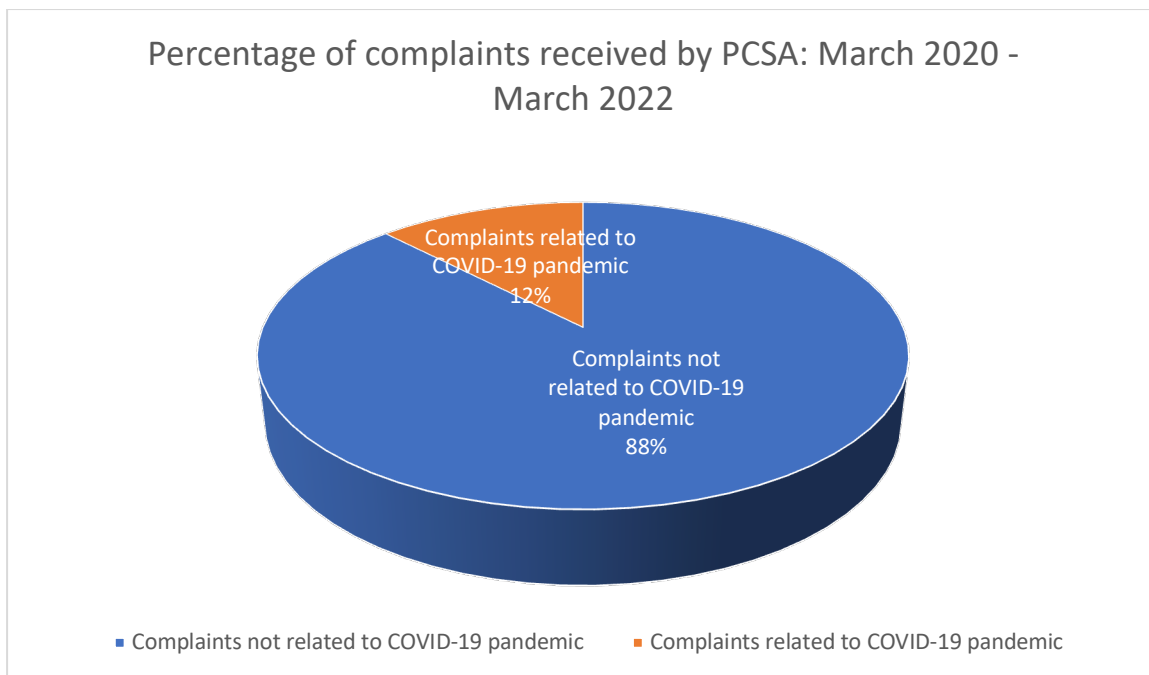


Figure 2: Percentage of complaints received by PCSA between March 2020 – March 2022

The complaints received by the Press Council were as follows:

1. *Melomed Hospital Holdings vs. News24*

The article was published on the 15th of March 2020. The legal counsel of the hospital submitted a complaint after *News24* published an article headlined *Cape Town man struggles to get tested for COVID-19 at private hospital*. They argued that they were not afforded an opportunity to give comment and consequently the article created the impression that the hospital neglected their patients. In response George Claasen, *News24's* internal ombud said the hospital was given a chance to comment however the comments were sent to the wrong email addresses. Even though Melomed Hospital promised to give a comment on the following Monday, three weeks passed without a response from the hospital and the journalist who authored the article did not follow up. It is on this basis that the Press Ombud found that the publication had breached section 1.1 of the Press Code

2. *Steve Hofmeyer vs. Sunday World*

This article was published on the 20th of April 2020 on both the *Sunday World's* website and printed newspaper. The report was titled *Corona humbles 'racist' singer* in the newspaper and *Corona humbles 'racist' Steve Hofmeyer* online. In this case Steve Hofmeyer complained that the news media outlet publicly accused him of being

a racist and that at the time he was begging for funding from the national relief fund. The relief fund was established to alleviate the financial implications of the COVID-19 pandemic on artists. Steve Hofmeyer also complained that he was not given a right of reply. Makhudu Sefara, who was the respondent in this case argued that the article was based on factual information. The publication breached sections 1.1, 1.2, and 1.3 by using the words “crawl” as well as “begging” in the article.

3. *Corlandi Bezuidenhout and Meraki vs. Stellenbosch News*

Danie Keet, journalist at *Stellenbosch News*, compiled an article about the financial challenges of Meraki restaurant workers during the COVID-19 pandemic. The story also covered the ill-treatment directed to staff by the owner, Corlandi Bezuidenhout. The article was headlined *Restaurantwerkers sukkel om kop bo water te hou* (Translation: Restaurant workers struggle to keep their heads above water). The owner of the restaurant complained that the information in the article was factually incorrect and that she was not given a right to reply. After analysis, the Press Ombud ordered *Stellenbosch News* to apologise for not giving Corlandi the right to reply and not verifying the allegations regarding the UIF forms.

4. *Maj-Gen Lesley Ford vs. Mail&Guardian*

The article complained about was published on the 27th of October 2020 and was titled *SANDF hid R200m expenditure on 'Covid' drug it can't use*. In summary, the article reported that a senior official in the South African National Defence Force, revealed that more than R200 million had been used to illegally purchase a Cuban COVID-19 treatment which was banned in South Africa. The article stated that the information had come from Major-General Lesley Ford. However, Lesley Ford argued that he was never interviewed by any journalist from the *Mail & Guardian*. After investigation, it was found that the information used in the article had been shared by another source who spoke to a journalist from another media house. The case was dismissed by the Public Advocate on the grounds that the report was used by other publications, and it was a matter of public interest. However, the complainant still argued that the inclusion of his name in the article without his permission violated his privacy and dignity. Since no agreement could be reached, the Press Ombud decided to adjudicate the complaint. No official decision from the Press Ombud has been published as yet.

5. *Motshidisi Sefako vs. Daily Sun*

The article related to this case was published in the *Daily Sun's* newspaper and its online site. In the newspaper, the headline was *Save lives, disclose your status*. On the other hand, the article published online was headlined *My colleague gave me corona*. The article was about Motshidisi Sefako who, according to the article, contracted COVID-19 from a colleague who had not disclosed their status. The complainant argued that she did not tell the journalist that she was infected by her colleague. As a form of evidence, the respondent produced the journalist's notes of their conversation which indeed referred to a colleague. Therefore, there was no finding for this case. However, the Press Ombud recommended that the *Daily Sun* publishes her side of the story denying that she was infected by her colleague.

6. *Mothakge Kgatla & Manuel Meisenheimer vs. Daily Sun*

The above complaint was concerning an article headlined *Lockdown Bush Pokers! – Horny bunch make Garden of Eden look like picnic*. The article was published in the newspaper and a picture of the front page of the newspaper was published on the news media outlets Facebook page. The article was about a group of friends who did not adhere to COVID-19 regulations as they engaged in group sex. They also reportedly shared hookah pipes, alcohol, and cigarettes. The article was also accompanied by a picture of a couple engaged in sexual intercourse. The complainant argued that the pictures published were explicit and no warning was included for readers/users. The respondent, Johan Vos, said the matter which was reported on was of public interest and the aim was to encourage the public to avoid disregarding COVID-19 regulations. The Press Ombud found that the *Daily Sun* had breached section 9.3 of the Press Code for not providing a warning for readers/users.

7. *Dr Blade Nzimande vs. City Press*

The Minister of Higher Education, Science, and Innovation submitted a complaint regarding an article published in print and online on the 20th of September 2020. The article was titled *'Interference' delays laptops for students*. In summary, the article reported that the ministerial advisor was wrongfully chosen to handle a R3.75 billion laptop tender for students during the national lockdown. During the COVID-19 pandemic students had limited access to their campus facilities. The laptops were used as tools to help students continue with their studies even from a distance. Dr Blade

Nzimande complained that the article did not include accurate information, sufficient context, and the subjects were not granted enough time to give comment. The respondent on behalf of the City Press argued that the ministerial advisor should not have participated in the tender processes as he was not a public official and, on that basis, the story was not based on inaccurate information. The publication breached sections 1.1 and 1.2.

8. *Nqaba Nqandela vs. City Press*

The complaint submitted by Nqaba Nqandela is related to the case previously discussed between Dr Blade Nzimande versus the City Press. The distribution of laptops was a means to assist students to continue attending classes and working on their assessments during the COVID-19 lockdown which prevented students from accessing campus facilities. Nqaba Nqandela complained that the article presented his appointment as the task team leader in a nefarious manner. According to the complainant, the article tarnished his dignity and reputation. The respondent on behalf of the *City Press* argued that the reportage was not harmful to his public image. City Press was sanctioned for breaching sections 1.1, 1.2, 1.3, 1.8, and 3.3 of the Press Code.

9. *Pandemics Data and Analytics vs Daily Maverick*

This complaint was submitted regarding an article published on the 28th of February 2021 online and in the print edition. The article was headlined *Kung-flu Panda: Dodgy analytics or pandemic propaganda?* Pandemics Data and Knowledge which is commonly known as PANDA, complained that the article discussed COVID-19 related conspiracy theories that had been published by various groups and PANDA was included in the list. PANDA argues that their work is guided by scientific information as their team consists of experts such as economists, statisticians, data scientists, medical professionals, and lawyers. According to the *Daily Maverick*, the reportage was in the interest of the public as PANDA published several views that went against the advice and regulations that had been published by the government. Some of the views published by PANDA included statements that advocated against the use of masks and COVID-19 vaccines. The Press Ombud found that *Daily Maverick* had breached section 1.2 of the Press Code.

10. SAAPA vs. *Sunday Times*

The South African Alcohol Policy Alliance (SAAPA) submitted a complaint regarding three articles published in the *Sunday Times* on the same page. The articles were about the illegal use of alcohol during the COVID-19 lockdown, financial challenges for the alcohol industry, and the trend of making home-brewed alcohol during the pandemic. Maurice Smithers, who submitted the complaint on behalf of SAAPA, argued that the articles were advertorials and this was not stated anywhere on the page. Smithers further contended that two of the articles were presented as opinion pieces and did not include alternative views. *Sunday Times* was found to have breached sections 2.3 and 2.4 for using vague words which did not clearly indicate that an external organisation was involved.

11. *Nokulinda Mkhize vs. Daily Maverick*

Nokulinda Mkhize complained about an article that reported that she had illegally benefitted from the Department of Health's funds through her father Dr Zweli Mkhize (who was the Minister of Health in South Africa at the time). The article was titled *Exposed: DoH's R150M Digital Vibes scandal – Zweli Mkhize associates charged millions for Covid-19 media briefings*. The funds were intended to be used for the National Health Insurance (NHI) campaign and communication regarding the COVID-19 pandemic. The article was accompanied by a cartoon. More specifically, the complainant argued that she was not afforded an opportunity to give a comment, that the article promoted misogyny against black women, and that she was defamed. Jillian Green who was the respondent in this case denies that the article suggested that Nokulinda Mkhize had financially benefitted from state funds. The Press Ombud's findings revealed that the *Daily Maverick* had breached sections 7.2 and 3.3. These breaches were in connection to the cartoon which made it as seem as though Nokulinda Mkhize was involved in corruption.

12. *Hasina Kathrada vs Times Live*

The article reported on investigations led by the Special Investigations Unit surrounding the R150m deal which the then Minister of Health, Dr Zweli Mkhize, some associates, and family members are alleged to have illegally benefitted from the state funds. Hasina Kathrada had rendered her services to Digital Vibes. The funds that were paid to Digital Vibes were intended to be used for public communication surrounding

the COVID-19 pandemic and the NHI campaign. Although her name had not been mentioned in the article concerned in this case, the article was accompanied by a picture wherein she appeared with two other people. The complainant argued that the inclusion of the picture was damaging to her reputation and indirectly suggested that she was part of the alleged activities of corruption. In defence of *Times Live*, the respondent explained that Kathrada's name appeared in an affidavit produced by the SIU stating that she had received irregular payments and therefore there was no reason to remove the picture. The complaint was dismissed.

13. *National Arts Council vs. The Citizen*

During the COVID-19 pandemic, the National Arts Council (NAC) made headlines for several negative reasons. One of the controversies involved the COVID-19 relief funds which were meant to provide financial relief to artists. The artists held protests at the NAC as they had not received the allocated funds. In a second incident, the Public Protector initiated an investigation following reports of irregularities at the NAC. The then CEO of the NAC was suspended in February 2021. It is against this background that Getrude Makhafola authored an article headlined *CEO's secret deal with council* (in the print edition) and *Laptop, cellphone and salary until 65th birthday: Arts council boss Rosemary Mangope's golden handshake* (online). The NAC complained that the article included inaccurate information and they were not given a fair opportunity to comment. *The Citizen* breached clause 1.1 for reporting that Mangope would continue receiving benefits from the NAC until she turns 65 and for omitting the Public Protector's findings. The publication also breached section 1.8 for not giving the NAC a reasonable amount of time to comment on the allegations and section 10 for creating misleading headlines.

4.2 Complaints Sanctioned

Out of the 13 complaints related to COVID-19 reportage sourced from the Press Council's website, 10 were found to have breached the Press Code and three were dismissed (see Figure 3 for percentages and graphical representation of these figures). The type of sanction that a news media outlet would receive is based on the three-tier hierarchy used by the Press Council. As discussed under section 2.5, Tier 1 includes minor breaches such as wrongly spelt names and factual errors. The sanction for Tier

1 breaches would usually be an apology on inside pages or landing pages for online publications (Press Council, 2023). Tier 2 is the category for serious breaches (Press Council, 2023). Examples include not giving subjects a right of reply and no warnings for graphical content. Sanctions involve apologies, cautions, reprimands, corrections, and retractions (Press Council, 2023). Finally, serious misconduct is placed at Tier 3. Examples of such breaches include publishing child pornography and allowing political or commercial influence to affect reporting. The panel may impose space sanctions and monetary fines for Tier 3 offences (Press Council, 2023).

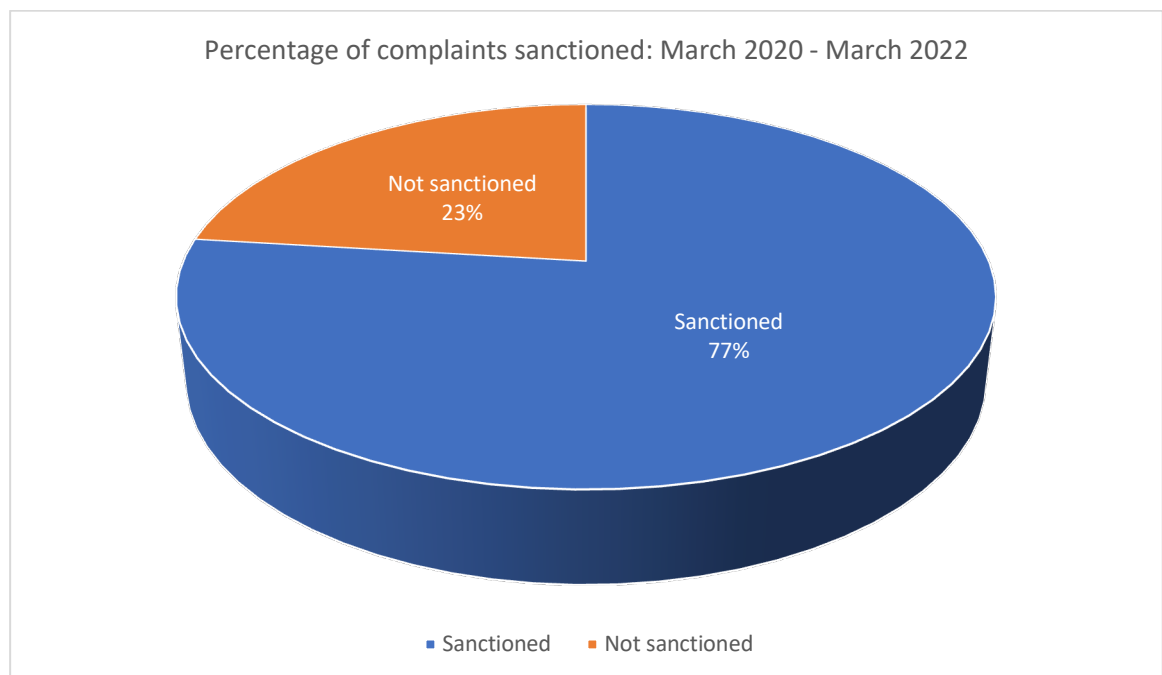


Figure 3: Percentage of complaints sanctioned by the PSCA: March 2020 – March 2022

Of the 10 complaints which were sanctioned:

One complaint was upheld entirely. This is the case between Mothakge Kgatla, Manuel Meisenheimer and the *Daily Sun* (Refer to case 6). A complaint is entirely upheld when the Ombudsman panel rules completely against the publication and rules in favour of the complainant.

Nine complaints were partially upheld. When a case is partially upheld the Ombudsman upholds some of the complaints while dismissing others. The cases include Melomed Hospital Holdings and *News24* (Case 1), Steve Hofmeyer and *Sunday World* (Case 2), Corlandi Bezuidenhout, Meraki and *Stellenbosch News* (Case 3), Dr Blade Nzimande and *City Press*

(Case 7), Nqaba Nqandela and *City Press* (Case 8), PANDA and *Daily Maverick* (Case 9), SAAPA and *Sunday Times* (Case 10), Nokulinda Mkhize and *Daily Maverick* (Case 11), National Arts Council and *The Citizen* (Case 13).

In terms of the three complaints which were not sanctioned:

There was no finding for one complaint. Case 5 between Motshidisi Sefako and the *Daily Sun* had no finding. This happens when the Ombudsman does not make a ruling and the reasons are usually stated in the published ruling.

Two complaints were dismissed. The reasons are explained in the published ruling. The cases identified here are case 4 between Major General Lesley Ford and *Mail & Guardian* as well as case 12 involving Hasina Kathrada and *TimesLive*.

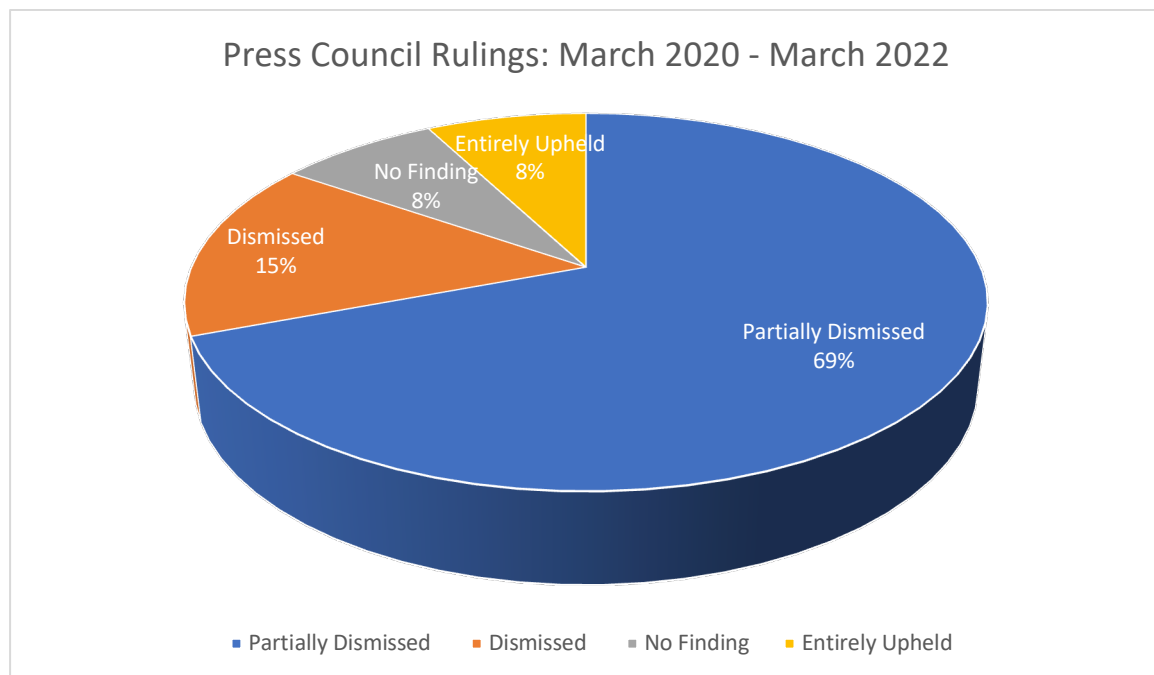


Figure 4: Percentage of rulings made by the Press Council: March 2020 – March 2022

4.3 Breaches by publication

Most of the news media outlets which were analysed in the context and for the purposes of this study only received one public complaint. The *Daily Sun*, *City Press* and *Daily Maverick* had two complaints respectively. This makes them the publications which received the highest number of complaints. However, it is important to note that having a high number of complaints does not necessarily mean a publication is not adhering to the Press Code. Instead,

it is the findings for each complaint which are available in the published ruling that give a better indication of sections which were breached. For example, even though two public complaints were submitted about *Daily Sun* reportage, based on the rulings made by the Press Ombudsman the publication only breached one section of the Press Code. Similarly, the *Mail & Guardian* received one complaint from the public but the findings of the Press Ombudsman show that there was no breach of the Press Code.

In contrast, the *City Press* received two public complaints and after the Press Ombudsman analysed both cases it found that the publication had breached seven sections of the Press Code. According to Reid and Isaacs (2015) there are several factors which may increase the chances of a publication receiving complaints, these factors include high readership and circulation figures. Additionally, they argue that a news media outlet that produces more investigative journalism than analyses, opinion and aggregated content is more likely to receive complaints.

Even though the *Daily Sun* received two complaints, it only breached one section of the Press Code. This is contrary to what would have been expected for a tabloid publication. The existence of tabloid newspapers in South Africa has been associated with poor quality content and unethical reporting. Numerous media scholars (Holt, 2004; Turner, 2004; Wasserman, 2006; Matsebatlela; 2009; Boshoff, 2016) have argued that tabloid newspapers tend to sacrifice formal coverage of hard news for gossip, scandals, sex, xenophobia and sports stories amongst others. The newspapers are usually characterised by offensive language, graphic images, brightly coloured mastheads and headlines printed in big capital letters all done with the intention of captivating the reader's interest (Wasserman, 2010). In the case between Mothakge Kgatla, Manuel Meisenheimer and the *Daily Sun* (refer to case 6), the Press Council found that there was nothing wrong with the content of the article and the picture depicting a couple engaged in sexual intercourse. Instead, the publication was sanctioned for not providing a warning for graphical photos. While, case five between Motshidisi Sefako and the *Daily Sun* was dismissed with no finding.

Figure 5, displays the quantity of complaints submitted for each news media outlet that published an article related to the COVID-19 pandemic and the number of breaches of the Press Code based on the Press Ombudsman's findings. Regarding the type of infringement,

case numbers were included if a publication received more than one complaint. Refer to section 4.1 for a summary of each case.

Name of publication	Number of complaints	Number of individual breaches of the Press Code	Type of Infringement
News24	1	1	Tier 2
Sunday World	1	3	Tier 2
Stellenbosch News	1	3	Tier 2
Mail & Guardian	1	0	Case dismissed
Daily Sun	2	1	Case 5: No finding Case 6: Tier 2
City Press	2	7	Case 7: Tier 2 Case 8: Tier 2
Daily Maverick	2	3	Case 9: Tier 2 Case 11: Tier 2
Sunday Times	1	2	Not indicated
TimesLIVE	1	0	Case dismissed
The Citizen	1	3	Tier 2

Figure 5: Table displaying number of complaints and breaches for each publication

4.4 Commonly breached articles of the Press Code

This section of the research report identifies the sections of the Press Code which were breached and examines the number of times each section was breached in the cases discussed earlier. For the purposes of this study this section only analysed the cases which were entirely upheld or partially upheld. In other words, cases which were dismissed or had no finding were excluded as they did not breach any part of the Press Code.

One should note that the discussion to follow on commonly breached sections of the Press Code does not refer nor applies to all news media outlets. For the purposes of this research

study, only COVID-19 related articles published between the period of March 2020 and March 2022 were considered. The researcher analysed complaints and rulings which were published on the Press Council of South Africa's website. Therefore, it would not be correct to interpret the discussion to follow as one that argues, for example, that all news media outlets do not reflect the truth and accurate information in their reportage. The discussion only applies to publications that subscribe to the Press Council of South Africa and those that were found to have breached the Press Code.

The first clause of the Press Code (Section 1.1) was the most commonly breached. This part of the Press Code requires journalists to report truthful and accurate news in a fair manner. In most cases which were analysed, a publication that breached section 1.1 usually breached other sections of the Press Code too, except the case of *Melomed Hospital Holdings versus News24*. Therefore, the other sections which were breached usually give more specific details about the infringements. For example, a publication may have breached Section 1.1 by not giving the main subject of the story a right of reply. Therefore, the publication would have breached Section 1.1 and 1.8, however, Section 1.8 gives a better idea of where the infringement on truth, accuracy and fairness comes from.

The second most commonly breached section of the Press Code is Section 1.2 which involves presenting stories in context, in a balanced manner and avoiding any misrepresentation. In summary, this section requires journalists to practice their work with a high-level objectivity. Like the first article, Section 1.2 is broad in its nature. This does not mean it is not important. The first and second clauses of the Press Code lay the foundation for ethical journalism. They are basic requirements and this explains why sections that follow them provide more specific details.

In third place, when it comes to commonly breached sections of the Press Code, was Section 1.8. Article 1.8 requires journalists to take a subject's comment before publishing the story. In the cases which were analysed for this study, the problem was not that the journalists failed to give the subject a right of reply. Rather, the issue was that they did not offer the subject reasonable time to respond.

Sections 1.3 and 3.3 of the Press Code, were in the fourth place, with only two breaches respectively. Section 1.3 has to do with only including proven facts in a story and if one

includes allegations, opinions and rumours it should be clearly indicated as such. It is worth noting that in both cases wherein Section 1.3 had been breached, the publication had also breached Section 1.1 and 1.2. Therefore, it could be argued that these three articles of the Press Code are closely connected to each other. On the other hand, section 3.3 involves journalists causing damage to the subject’s image and reputation. Both cases where the publication breached section 3.3 involved prominent figures.

Lastly Sections: 1.7, 2.3, 2.4, 7.2, 9.3 and 10 were breached once. Even though they were breached, the number for each was remarkably low in the context of this study. The following table (figure 6) displays the number of times each section of the Press Code was breached between March 2020 and March 2022. The table does not include sections which were not breached. Note that the numbers are based on the findings in the published rulings on the Press Council of South Africa’s website.

Article number	Number of times section breached	Articles of the Press Code
1.1	5	“1.1 The media shall take care to report news truthfully, accurately and fairly;”
1.2	4	1.2 “The media shall present news in context and in a balanced manner, without any intentional or negligent departure from the facts whether by distortion, exaggeration or misrepresentation, material omissions, or summarization;”
1.3	2	1.3 “present only what may reasonably be true as fact; opinions, allegations, rumours or suppositions shall be presented clearly as such;”
1.7	1	1.7 “verify the accuracy of doubtful information, if practicable; if not, this shall be stated;”
1.8	3	1.8 “seek, if practicable, the views of the subject of critical reportage in advance of publication, except when they might be prevented from reporting, or evidence destroyed, or sources intimidated. Such a subject should be afforded reasonable time to respond; if unable to obtain comment, this shall be stated;”

2.3	1	2.3 “indicate clearly when an outside organization has contributed to the cost of newsgathering;”
2.4	1	2.4 “keep editorial material clearly distinct from advertising and sponsored events”
3.3	2	3.3 “exercise care and consideration in matters involving dignity and reputation,”
7.2	1	7.2 “Comment or criticism is protected even if it is extreme, unjust, unbalanced, exaggerated and prejudiced, as long as it is without malice, is on a matter of public interest, has taken fair account of all material facts that are either true or reasonably true, and is presented in a manner that it appears clearly to be comment.”
9.3	1	9.3 “avoid content which depicts violent crime or other violence or explicit sex, unless the public interest dictates otherwise – in which case a prominently displayed warning must indicate that such content is graphic and inappropriate for certain audiences such as children.”
10	1	10.1 “Headlines, captions to pictures and posters shall not mislead the public and shall give a reasonable reflection of the contents of the report or picture in question;” 10.2 “Pictures and video / audio content shall not misrepresent or mislead nor be manipulated to do so.”

Figure 6: Table showing number of times articles of PC were breached: March 2020 – March 2022

4.5 Complainants

Interestingly, the complaints analysed for the purposes of this research report were submitted by a variety of individuals who form part of different categories or complainant profiles. Between March 2020 and March 2022, five prominent figures submitted complaints about articles that were related to COVID-19 reportage. The five complainants were Steve Hofmeyer, Nokulinda Mkhize, Major-General Lesley Ford, Dr Blade Nzimande, and Nqaba Nqandela. This equated to a percentile total of 38% when all 13 complaints were considered. In other words, in the context of this study, most complaints were submitted by public figures and celebrities. On the other hand, four complaints were submitted by businesses or organisations. The

organisations included in this total are Melomed Hospital, Meraki, SAAPA, and PANDA. Together the businesses and organisations equated to 31% making this category the second highest profile of complainants. Meanwhile, three complaints were submitted by ordinary individuals including Motshidisi Sefako, Hasina Kathrada, Mothakge Kgatla, and Manuel Meiseinheimer (the last two filed a complaint together). This category was the third highest complainant profile with a total of 23%. In contrast to the other three categories, only one complaint was submitted on behalf of a public institution, this was the case of the National Arts Council versus *The Citizen*. Consequently, this was the complainant profile with the lowest percentage (See Figure 7).



Figure 7: Profiles of complainants: March 2020 – March 2022

Chapter 5: Conclusions and Limitations

5.1 Introduction

In Chapter 4, the findings which were sourced through the Press Council of South Africa's website were presented. The chapter started with a summary of the 13 cases wherein a complaint was submitted regarding an article related to the COVID-19 pandemic and a ruling was made by the Press Ombudsman. Secondly, the researcher analysed the number of cases that were sanctioned and those that were not sanctioned. Thirdly, the report explored the profiles of those who submitted complaints to the Press Council. Fourthly, it analysed the number of individual breaches of the Press Code made by each publication that was complained about. The chapter concluded with an examination of the most commonly breached sections of the Press Code between March 2020 and March 2022. As indicated in the chapter layout (refer to Section 1.6), Chapter 5 will focus on providing answers to the three research questions which underpinned this study. In addition, the researcher will discuss the limitations and provide recommendations that other researchers can use to build on the findings of this study.

5.2 Examining the Research Questions

RQ1: What is the percentage of complaints on COVID-19 related news articles submitted to the Press Council during the pandemic?

During the period of March 2020 and March 2022, there were 105 complaints which were submitted to the Press Council of South Africa. Out of 105 complaints, only 13 of the complaints were related to COVID-19 reportage. This means only 12% of complaints submitted to the Press Council had something to do with COVID-19 news coverage. This is a small percentage when compared to the 88% of complaints that were not related to COVID-19 news coverage. The low percentage could suggest that, to a great extent, South African print and online media that are regulated by the Press Council of South Africa practiced ethical journalism by adhering to the Press Code during the pandemic. There are several factors that could have contributed to the low percentage of complaints.

It could be argued that the number of complaints submitted during this time was low since journalists relied on press releases, media briefings, and other documents published by the

government as a key source of information for COVID-19 news coverage. For example, the government through the Department of Health, would publish COVID-19 statistics on a daily basis during the pandemic and these figures were used as a source of information by journalists and media houses. They also relied on academics and experts for analysis. Therefore, the less investigation involved in the process of compiling a story, the lesser the likelihood of the publication receiving complaints through the Press Council of South Africa.

During the outbreak of the COVID-19 pandemic, there was high circulation of fake news related to the virus, cures, and regulations, especially on social media. As discussed in Chapter 1, this resulted in the government introducing regulations that lawfully prohibited the spread of fake news. The government also encouraged news media outlets to assist in mitigating the dissemination of fake news by only sharing accurate information. Thus, it could be argued that the media fulfilled its social responsibility role as per the social responsibility theory discussed under the theoretical framework (Section 2.8) particularly where COVID-19 reportage is concerned. This is another factor that could have contributed to the low percentage of complaints.

The COVID-19 pandemic had adverse financial implications for people in South Africa and around the world. Some people living in South Africa who may have been regular newspaper, magazine, and online news consumers, could no longer afford to buy newspapers and magazines or access news online due to data costs. Lockdown regulations could have also made it difficult for people to access newspapers and magazines.

It is important, once again, to stress that the percentages are only a reflection of the publications that subscribe and are regulated by the Press Council of South Africa. The study only considered complaints and rulings which were published on the Press Council of South Africa's website. Any other article that may have been unethical in its reportage of COVID-19 was not considered.

RQ2: What do the rulings made by the Press Council suggest about ethical reporting by South African print and online media during the COVID-19 pandemic?

As unpacked in previous chapters, the Press Council of South Africa uses a three-tier hierarchy to categorise breaches and sanctions for publications. Tier 1 is for minor breaches that do not

change the essence of the article. Tier 2 is for serious breaches while Tier 3 categorises the serious misconduct issues.

Having discussed and analysed the thirteen cases published on the Press Council's website, it can be said that even though there was a significantly low number of breaches related to COVID-19 reportage, most of the publications that did breach the Press Code were placed at Tier 2. In other words, the rulings made by the Press Council suggest that online and print publications that breached the Press Code were mainly sanctioned for serious breaches.

These publications include: *News24* for breaching Section 1.1 in the article involving Melomed Hospital Holdings; *Sunday World* for breaching Sections 1.1, 1.2, and 1.3 of the Press Code in the article involving Steve Hofmeyer; *Stellenbosch News* for breaching Sections 1.7 and 1.8 in the articles which implicates Corlandi Bezuidenhout and Meraki; the *Daily Sun* for breaching Section 9.3 in the article involving Mothakge Kgatla and Manuel Meisenheimer; *City Press* for breaching Sections 1.1, 1.2, 1.3, 1.8 and 3.3 in two cases lodged by Dr. Blade Nzimande and Nqaba Nqandela respectively; *Daily Maverick* for transgressing Section 1.2 in the case involving PANDA as well as breach of clauses 3.3 and 7.2 in the article implicating Nokulinda Mkhize; *The Citizen* for transgressing clauses 1.1, 1.8 and 10 in the article involving the CEO of the National Arts Council.

Although the published ruling states that clauses 2.3 and 2.4 of the Press Code were breached in the case of SAAPA and *Sunday Times*, the ruling does not indicate which Tier the sanction is placed at. Based on the information published on the Press Council's website, in a case where commercial considerations influence reporting the publication receives a Tier 3 sanction. In the SAAPA versus *Sunday Times* case, SAAPA complained about three articles that were about the use and sale of alcohol during the pandemic. The complainants argued that the content of the articles was influenced by commercial interests yet it was not clearly indicated that an outside organisation contributed to the content. In the analysis of the case, the Press Ombud argued that the words "Editorial Partnership" appeared at the top of the page served as notice that the content on that page differs from other articles in the newspaper. However, the Press Ombud stated that the words "Editorial Partnership" were vague. Therefore, it is difficult to reach a conclusion on the placement of this case in terms of

the three-tier hierarchy. As a result, the researcher did not include it in the cases which received Tier 2 sanctions.

Thus, in total 9 out of 13 cases received Tier 2 sanctions which was the majority in the context of this research study. This suggests that most of the publications that were considered for the purposes of this study practiced ethical journalism to a moderate extent since most of the sanctions were placed in between Tier 1 for minor breaches and Tier 3 for serious misconduct issues. This should not be seen entirely as a positive reflection for the publications as ideally, journalists should strive to avoid any breach of the Press Code.

RQ3: What were the main ethical issues in print and online media reporting during the COVID-19 pandemic?

The findings and results of this study show that the number of infringements to the Press Code between March 2020 and March 2022 was measurably low. However, based on the cases which were analysed and the most transgressed sections of the Press Code presented in the previous chapter it can be argued that the main ethical issues in reporting during the pandemic were related to: Truth, accuracy and fairness; balance, context and distortion; seeking comment from subjects before publication; only presenting what may be considered reasonably true as fact as well as protecting the dignity and reputation of those implicated in a story.

Breaching the ethical principles in the Press Code can have serious consequences, particularly during health crises. In times of plight, the news media become a key source of information for members of society. The information published by the media has the power to influence what people know about the crisis, their reactions, attitudes, and awareness of actions that need to be taken to protect themselves. The media can also dissolve widely held beliefs or reinforce existing beliefs through their reportage. Ethical issues in media reporting can potentially affect people's confidence and trust in the news media. This means people would be less likely to engage with content published by news media outlets and would rather consider alternative sources for information that may not be entirely trustworthy. Failure to adhere to ethical principles also has an adverse impact on the publication as well as the journalist's reputation. Therefore, it is important for journalists to obey and adhere to the ethical principles stated in the Press Code.

5.3 Limitations

This study could be interpreted as a step towards analysing adherence to the Press Code by South African online and print publications when reporting on health crisis. However, the results should not be treated as representative of the entire media landscape in the country in that not all publications in South Africa subscribe to the Press Council.

Future research could build on the results and findings of this study by analysing complaints and rulings which are not limited to COVID-19 and over a longer period. This could give a more comprehensive indication of the extent to which print and online media practice ethical journalism in accordance with the Press Code.

5.4 Conclusion

The role of the media is critical during the outbreak of a health crisis. At such times, the media not only provide people with information, but they also have an influence on people's attitudes towards the disease and situation. In this research report, the researcher aimed to analyse the extent to which South African print and online media practiced ethical journalism by adhering to the Press Code. The findings and results of the study revealed three key points: Firstly the number of complaints submitted to the Press Council in relation to COVID-19 reportage were measurably low. Secondly, based on the 13 cases which were analysed most of the publications that did transgress the Press Code received a tier 2 sanction for serious breaches. Finally, the study also showed that ethical issues were predominantly related to truth, accuracy and fairness, balance context and distortion, seeking comment before publication and presenting only what is true as facts.

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Appendix A

“Preamble

WHEREAS:

Section 16 of the Constitution of the Republic of South Africa enshrines the right to freedom of expression as follows:

(1) Everyone has the right to freedom of expression, which includes:

- (a) Freedom of the press and other media;
- (b) Freedom to receive or impart information or ideas;
- (c) Freedom of artistic creativity; and
- (d) Academic freedom and freedom of scientific research.

(2) The right in subsection (1) does not extend to

- (a) Propaganda for war;
- (b) Incitement of imminent violence; or
- (c) Advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.

The basic principle to be upheld is that the freedom of the press is indivisible from and subject to the same rights and duties as that of the individual and rests on the public’s fundamental right to be informed and freely to receive and to disseminate opinions; and The primary purpose of gathering and distributing news and opinion is to serve society by informing citizens and enabling them to make informed judgments on the issues of the time; and

The freedom of the press allows for an independent scrutiny to bear on the forces that shape society.

NOW THEREFORE:

The Press Council of South Africa accepts the following Code which will guide the South African Press Ombudsman and the South African Press Appeals Panel to reach decisions on complaints from the public after publication of the relevant material.

Furthermore, the Press Council of South Africa is hereby constituted as a self-regulatory mechanism to provide impartial, expeditious and cost-effective arbitration to settle complaints based on and arising from this Code.

Definition

For purposes of this Code, “child pornography” shall mean: “Any image or any description of a person, real or simulated, who is or who is depicted or described as being, under the age of 18 years, engaged in sexual conduct; participating in or assisting another person to participate in sexual conduct; or showing or describing the body or parts of the body of the person in a manner or circumstances which, in context, amounts to sexual exploitation, or in a manner capable of being used for purposes of sexual exploitation.”

1. Reporting of News

1.1 The press shall be obliged to report news truthfully, accurately and fairly.

1.2 News shall be presented in context and in a balanced manner, without any intentional or negligent departure from the facts whether by:

1.2.1 Distortion, exaggeration or misrepresentation;

1.2.2 Material omissions; or

1.2.3 Summarisation.

1.3 Only what may reasonably be true, having regard to the sources of the news, may be presented as fact, and such facts shall be published fairly with due regard to context and importance. Where a report is not based on facts or is founded on opinions, allegation, rumour or supposition, it shall be presented in such manner as to indicate this clearly.

1.4 Where there is reason to doubt the accuracy of a report and it is practicable to verify the accuracy thereof, it shall be verified. Where it has not been practicable to verify the accuracy of a report, this shall be mentioned in such report.

1.5 A publication should usually seek the views of the subject of serious critical reportage in advance of publication; provided that this need not be done where the publication has reasonable grounds for believing that by doing so it would be prevented from publishing the report or where evidence might be destroyed or witnesses intimidated.

1.6 A publication should make amends for publishing information or comment that is found to be inaccurate by printing, promptly and with appropriate prominence, a retraction, correction or explanation.

1.7 Reports, photographs or sketches relative to matters involving indecency or obscenity shall be presented with due sensitivity towards the prevailing moral climate.

1.7.1 A visual presentation of sexual conduct may not be published, unless a legitimate public interest dictates otherwise.

1.7.2 Child pornography shall not be published.

1.8 The identity of rape victims and victims of sexual violence shall not be published without the consent of the victim.

1.9 News obtained by dishonest or unfair means, or the publication of which would involve a breach of confidence, should not be published unless a legitimate public interest dictates otherwise.

1.10 In both news and comment the press shall exercise exceptional care and consideration in matters involving the private lives and concerns of individuals, bearing in mind that any right to privacy may be overridden only by a legitimate public interest.

2. Discrimination and Hate Speech

2.1 The press should avoid discriminatory or denigratory references to people's race, colour, ethnicity, religion, gender, sexual orientation or preference, physical or mental disability or illness, or age.

2.2 The press should not refer to a person's race, colour, ethnicity, religion, gender, sexual orientation or preference, physical or mental illness in a prejudicial or pejorative context except where it is strictly relevant to the matter reported or adds significantly to readers' understanding of that matter.

2.3 The press has the right and indeed the duty to report and comment on all matters of legitimate public interest. This right and duty must, however, be balanced against the obligation not to publish material which amounts to hate speech.

3. Advocacy

A publication is justified in strongly advocating its own views on controversial topics provided that it treats its readers fairly by:

3.1 Making fact and opinion clearly distinguishable;

3.2 Not misrepresenting or suppressing relevant facts;

3.4 Not distorting the facts in text or headlines.

4. Comment

4.1 The press shall be entitled to comment upon or criticise any actions or events of public importance provided such comments or criticisms are fairly and honestly made.

4.2 Comment by the press shall be presented in such manner that it appears clearly that it is comment, and shall be made on facts truly stated or fairly indicated and referred to.

4.3 Comment by the press shall be an honest expression of opinion, without malice or dishonest motives, and shall take fair account of all available facts which are material to the matter commented upon.

5. Headlines, Posters, Pictures and Captions

5.1 Headlines and captions to pictures shall give a reasonable reflection of the contents of the report or picture in question.

5.2 Posters shall not mislead the public and shall give a reasonable reflection of the contents of the reports in question.

5.3 Pictures shall not misrepresent or mislead nor be manipulated to do so.

6. Confidential Sources

The press has an obligation to protect confidential sources of information.

7. Payment for Articles

No payment shall be made for feature articles to persons engaged in crime or other notorious misbehaviour, or to convicted persons or their associates, including family, friends, neighbours and colleagues, except where the material concerned ought to be published in the public interest and the payment is necessary for this to be done.

8. Violence

Due care and responsibility shall be exercised by the press with regard to the presentation of brutality, violence and atrocities".

Appendix B

“PREAMBLE

The media exist to serve society. Their freedom provides for independent scrutiny of the forces that shape society, and is essential to realising the promise of democracy. It enables citizens to make informed judgments on the issues of the day, a role whose centrality is recognised in the South African Constitution.

Section 16 of the Bill of Rights sets out that:

1. Everyone has the right to freedom of expression, which includes:

- a) Freedom of the press and other media;*
- b) Freedom to receive and impart information or ideas;*
- c) Freedom of artistic creativity; and*
- d) Academic freedom and freedom of scientific research.*

2. The right in subsection (1) does not extend to:

- a) Propaganda for war;*
- b) Incitement of imminent violence; or*
- c) Advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.*

The media strive to hold these rights in trust for the country’s citizens; and they are subject to the same rights and duties as the individual. Everyone has the duty to defend and further these rights, in recognition of the struggles that created them: the media, the public and government, who all make up the democratic state.

The media’s work is guided at all times by the public interest, understood to describe information of legitimate interest or importance to citizens.

As journalists we commit ourselves to the highest standards, to maintain credibility and keep the trust of the public. This means always striving for truth, avoiding unnecessary harm, reflecting a multiplicity of voices in our coverage of events, showing a special concern for children and other vulnerable groups, and exhibiting sensitivity to the cultural customs of their readers and the subjects of their reportage, and acting independently.

Application of the Press Code

1. This Code applies to the following content published by members:

1. all content that is published in a printed edition;
1. all content that is published on a website operated by a member;
1. all content that is published on a social media account operated by a member; and
1. all content that is created by a member and published on any platform that is available on the world wide web (i.e. online) or in digital format.
2. All content published by a member through one or more of the platforms mentioned in 1 must comply with the Code, regardless of whether the content is in written, video, audio, pictorial or any other form.
3. Members must ensure that when they share content created by a third party through their social media accounts (for example by retweeting) they do so in a manner that is compliant with this Code.
4. Members must develop their own social media policies, guided by this Code.

Chapter 1: MEDIA-GENERATED CONTENT AND ACTIVITIES

1. Gathering and reporting of news

The media shall:

- 1.1 take care to report news truthfully, accurately and fairly;
- 1.2 present news in context and in a balanced manner, without any intentional or negligent departure from the facts whether by distortion, exaggeration or misrepresentation, material omissions, or summarization;
- 1.3 present only what may reasonably be true as fact; opinions, allegations, rumours or suppositions shall be presented clearly as such;
- 1.4 obtain news legally, honestly and fairly, unless public interest dictates otherwise;
- 1.5 use personal information for journalistic purposes only;
- 1.6 identify themselves as such, unless public interest or their safety dictates otherwise;
- 1.7 verify the accuracy of doubtful information, if practicable; if not, this shall be stated;
- 1.8 seek, if practicable, the views of the subject of critical reportage in advance of publication, except when they might be prevented from reporting, or evidence destroyed, or sources intimidated. Such a subject should be afforded reasonable time to respond; if unable to obtain comment, this shall be stated;

1.9 state where a report is based on limited information, and supplement it once new information becomes available;

1.10 make amends for presenting inaccurate information or comment by publishing promptly and with appropriate prominence a retraction, correction, explanation or an apology on every platform where the original content was published, such as the member's website, social media accounts or any other online platform; and ensure that every journalist or freelancer employed by them who shared content on their personal social media accounts also shares any retraction, correction, explanation or apology relating to that content on their personal social media accounts;

1.11 prominently indicate when content that was published online has been amended or an apology or retraction published. The original content may continue to remain online but a link to the amendment, retraction or apology must be included in every version of the content which remains available online;

1.12 not be obliged to remove any content which is not unlawfully defamatory; and

1.13 not plagiarise.

2. Independence and Conflicts of Interest

The media shall:

2.1 not allow commercial, political, personal or other non-professional considerations to influence reporting, and avoid conflicts of interest as well as practices that could lead readers to doubt the media's independence and professionalism;

2.2 not accept any benefit which may influence coverage;

2.3 indicate clearly when an outside organization has contributed to the cost of newsgathering; and

2.4 keep editorial material clearly distinct from advertising and sponsored events.

3. Privacy, Dignity and Reputation

The media shall:

3.1 exercise care and consideration in matters involving the private lives of individuals. The right to privacy may be overridden by legitimate public interest;

3.2 afford special weight to South African cultural customs concerning the protection of privacy and dignity of people who are bereaved and their respect for those who have passed away, as well as concerning children, the aged, and the physically and mentally disabled;

3.3 exercise care and consideration in matters involving dignity and reputation, which may be overridden only if it is in the public interest and if:

3.1.1 the facts reported are true or substantially true; or

3.1.2 the reportage amounts to protected comment based on facts that are adequately referred to and that are either true or reasonably true; or

3.1.3 the reportage amounts to a fair and accurate report of court proceedings, Parliamentary proceedings, or the proceedings of any quasi-judicial tribunal or forum; or

3.1.4 it was reasonable for the information to be communicated because it was prepared in accordance with acceptable principles of journalistic conduct; or

3.1.5 the article was, or formed part of, an accurate and impartial account of a dispute to which the complainant was a party;

3.4 not identify rape survivors, survivors of sexual violence which includes sexual intimidation and harassment* or disclose the HIV / AIDS status of people without their consent and, in the case of children, from their legal guardian or a similarly responsible adult as well as from the child (taking into consideration the evolving capacity of the child), and a public interest is evident, and it is in the best interests of the child.

3.5 only disclose sufficient personal information to identify the person being reported on as some information, such as addresses, may enable others to intrude on their privacy and safety, and such disclosure shall only be made if in the public interest.

** The World Health Organisation inter alia defines sexual violence as follows: "Sexual violence encompasses acts that range from verbal harassment to forced penetration, and an array of types of coercion, from social pressure and intimidation to physical force..."*

4. Data protection

Members of the media shall:

4.1 take reasonable steps to ensure that data containing personal information under their control is protected from misuse, loss, and unauthorized access;

4.2 amend inaccuracies in published personal information where a person requests a correction;

4.3 inform the affected person(s) and take reasonable steps to mitigate any prejudicial effects where it is reasonably suspected that an unauthorized person may have obtained access to personal information held by the media;

4.4. use and disclose personal data only for journalistic purposes.

** “Personal information” is defined as follows in Section 1 of the Protection of Personal Information Act 4 of 2013: “Personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person; (b) information relating to the education or the medical, financial, criminal or employment history of the person; (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person; (d) the biometric information of the person; (e) the personal opinions, views or preferences of the person; (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; (g) the views or opinions of another individual about the person; and (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.*

5. Discrimination and Hate Speech

The media shall:

5.1. avoid discriminatory or denigratory references to people’s race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth or other status, and not refer to such status in a prejudicial or pejorative context – and shall refer to the above only where it is strictly relevant to the matter reported, and if it is in the public interest; and

5.2 balance their right and duty to report and comment on all matters of legitimate public interest against the obligation not to publish material that amounts to propaganda for war, incitement of imminent violence or hate speech – that is, advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.

6. Advocacy

The media may strongly advocate their own views on controversial topics, provided that they clearly distinguish between fact and opinion, and not misrepresent or suppress or distort relevant facts.

7. Protected Comment

7.1 The media shall be entitled to comment upon or criticise any actions or events of public interest; and

7.2 Comment or criticism is protected even if it is extreme, unjust, unbalanced, exaggerated and prejudiced, as long as it is without malice, is on a matter of public interest, has taken fair account of all material facts that are either true or reasonably true, and is presented in a manner that it appears clearly to be comment.

8. Children

In the spirit of Section 28.2 of the Bill of Rights* the media shall:

8.1 exercise exceptional care and consideration when reporting about children**. If there is any chance that coverage might cause harm of any kind to a child, he or she shall not be interviewed, photographed or identified without the consent of a legal guardian or of a similarly responsible adult and the child (taking into consideration the evolving capacity of the child); and a public interest is evident;

8.2 not publish child pornography***; and

8.3 not identify children who have been victims of abuse or exploitation, or who have been charged with or convicted of a crime, without the consent of their legal guardians (or a similarly responsible adult) and the child (taking into consideration the evolving capacity of the child), a public interest is evident and it is in the best interests of the child.

* Section 28.2 of the Bill of Rights in the South African Constitution says: "A child's best interests are of paramount importance in every matter concerning the child."

** A "child" is a person under the age of 18 years.

*** Child Pornography is defined in the Film and Publications Act as: "Any visual image or any description of a person, real or simulated, however created, who is or who is depicted or described as being, under the age of 18 years, explicitly depicting such a person who is or who is being depicted as engaged or participating in sexual conduct; engaged in an explicit display of genitals; participating in or assisting another person to participate in sexual conduct which, judged within context, has as its predominant objective purpose, the stimulation of sexual arousal in its target audience or showing or describing the body or parts of the body of the person in a manner or circumstance which, in context, amounts to sexual exploitation."

9. Violence, Graphic Content

The media shall:

9.1 exercise due care and responsibility when presenting brutality, violence and suffering;

9.2 not sanction, promote or glamorise violence or unlawful conduct; and

9.3 avoid content which depicts violent crime or other violence or explicit sex, unless the public interest dictates otherwise – in which case a prominently displayed warning must indicate that such content is graphic and inappropriate for certain audiences such as children.

10. Headlines, Captions, Posters, Pictures and Video / Audio Content

10.1 Headlines, captions to pictures and posters shall not mislead the public and shall give a reasonable reflection of the contents of the report or picture in question; and

10.2 Pictures and video / audio content shall not misrepresent or mislead nor be manipulated to do so.

11. Confidential and Anonymous Sources

The media shall:

11.1 protect confidential sources of information – the protection of sources is a basic principle in a democratic and free society;

11.2 avoid the use of anonymous sources unless there is no other way to deal with a story, and shall take care to corroborate such information; and

11.3 not publish information that constitutes a breach of confidence, unless the public interest dictates otherwise.

12. Payment for Information

The media shall avoid shady journalism in which informants are paid to induce them to give the information, particularly when they are criminals – except where the material concerned ought to be published in the public interest and the payment is necessary for this to be done.

Chapter 2: USER-GENERATED CONTENT AND ACTIVITIES*

13. Principles

The media:

13.1 are not obliged to moderate all user-generated content (UGC) in advance;

13.2 shall have a UGC Policy, consistent with the Constitution of the Republic of South Africa, governing moderation and/or removal of UGC or user profiles posted;

13.3 may remove any UGC or user profile in accordance with their policy;

13.4 must make their policy publicly available and set out clearly the:

13.4.1 authorisation process, if any, which would-be users must follow, as well as any terms, conditions and indemnity clauses during such registration process;

13.4.2 content which shall be prohibited; and

13.4.3 manner in which the public may inform them of prohibited content;

13.5 should, where practicable, place a notice on the platforms to discourage the posting of prohibited content;

13.6 should inform the public that UGC is posted directly by users, and does not necessarily reflect their views;

13.7 shall encourage users to report content that may violate the provisions of their policy; and

13.8 shall particularly carefully monitor online forums directed at children.

14. Prohibited Content

Material constitutes prohibited content if it is expressly not allowed in a member's UGC Policy, and in Section 5.2 of this Code (which refers to Section 16 of the Bill of Rights, and overrules anything to the contrary contained in a UGC policy).

15. Defence

15.1 It is a defence for the media to show that they did not author or edit the content complained of;

15.2 However, where a complainant has sent a written notice to the particular media, identifying the content concerned, specifying where it was posted, and motivating why it is prohibited (see Clause 14); the media must then either:

15.2.1 remove the relevant UGC as soon as possible and notify the complainant accordingly; or

15.2.2 decide not to remove the UGC and notify the complainant accordingly. In the latter case, the complainant may complain to the Press Ombud, who will treat it as if the UGC was posted by the member itself.

** This section applies where a complaint is brought against a member in respect of comments and content posted by users on all platforms in controls and on which it distributes its content."*