



**SCHOOL OF HUMANITIES & SOCIAL SCIENCES
BACHELOR OF ARTS IN COMMUNICATION
END OF SEMESTER EXAM
BAC 3103 MEDIA LAW AND ETHICS**

Date: 12th October 2023

Time: 13:00 – 15:00

Instructions

Section A (30 marks)

Answer Question One in Section A and any other two questions in Section B.

SECTION A

1. (a) Compare whistleblower disclosures from the Panama Papers and Wikileaks and discuss the ethical implications of publishing these revelations. (10 marks)

(b) Using examples, identify the THREE conditions that must be proven for a statement to be legally defamatory. (6 marks).

(c) Discuss TWO ways in which privacy laws in Kenya impact on the work of investigative reporters. (8 marks)

(d) Using relevant examples, explain THREE circumstances that can invite contempt of court sanctions for careless journalists. (6 marks)

SECTION B

2 (a) Despite the passage of robust freedom of information legislation in much of the Commonwealth, some information is still exempt from disclosure by journalists. Describe SIX areas that enjoy such protection and justify why these topics are exempted from journalistic scrutiny. (12 marks)

(b) Explain any THREE functions of the Media Council of Kenya. (3 marks)

- 3.(a) Discuss any THREE decisions that the Media Council of Kenya Complaints Commission is empowered to take to enforce discipline among journalists. (9 marks)
- (b) Explain the concept of sub-judice as it relates to the work of journalists. (6 marks)

4. “Fair Comment” is a defence that is commonly used in defamation suits. Discuss its application based on the Ollman Test in the light of rising cases of lawsuits in Kenya. (9 marks)

(b) Describe THREE steps copyright holders must fulfill in a lawsuit against those they believe have misappropriated their works. (6 marks)