



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

**DATE: 24<sup>th</sup> October 2024**

**TIME: 15:30 – 17:30**

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**Instructions**

**Answer Question One and any TWO questions**

**Section A (30 marks)**

**QUESTION ONE**

Review the judgement of the defamation case attached and answer the questions that follow.

(a) Besides the reason cited by the judges to establish that the statement published by Citizen TV was defamatory, describe THREE other grounds that must be established to establish libel. (6 marks)

(b) With reasons, describe TWO defences typically used in defamation cases that would not be appropriate in the case attached. (6 marks).

(c) Describe the term contemporaneous in regard to court reporting. (3 marks)

(d) Some legal defences against defamation are hinged on the demonstration of public interest in journalistic work. Expound on this defence by aligning it to THREE public interest objectives in journalism. (15 marks)

## **Section B (30 marks)**

### **QUESTION TWO**

(a) Explain the **THREE** exceptions where disclosure of a journalist's source of information may be necessary. (9 marks)

(b) Highlight **TWO** criticisms that have been levelled against the Media Council of Kenya's Code of Practice. (6 marks)

### **QUESTION THREE**

(a) Journalists need to be aware of the law in respect of personal privacy when pursuing a story. Explain any **THREE** areas of personal privacy typically covered by legislation. (9 marks)

(b) Although journalists may be able to obtain information through freedom of information legislation. Some information is, however, exempt from being disclosed. Explain **THREE** typical exemptions to this general right of access to information. (6 marks)

### **QUESTION FOUR**

(a) Expound on **THREE** circumstances that impose an obligation of confidence. (9 marks)

(b) Identify **THREE** penalties in respect to the common law of contempt. [6 marks] .