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CONSEIL DE L'EUROPE

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SUB-COMMITTEE NO. I OF THE
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Information Document

Press Councils: Norway

Norwegian Press Council; the assignments and duties of an Editor: Code of Honour for the Press

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NORWEGIAN PRESS COUNCIL

The Norwegian Press Council was established in 1928. Since then the composition and the proceedings of the Council have undergone various changes, and the matters dealt with have changed their nature. In the early years of the Council the questions usually referred to newspapers that accused each other of breaking the ethical rules of the press. Today the majority of the matters refer to complaints from the public against the newspapers.

The Press Council was reorganised in June 1972 after thorough preparations and long-lasting discussions in the press organisations. The most important reforms which were put into effect, are the following:

1. Whereas the Council previously consisted of only three representatives of the press, the number is now increased to 7, five of which represent the press. The other two members represent the public. All members are appointed by the Executive Committee of the Norwegian Press Association.

2. Previously the statements of the Council were only published in the trade journal of the editorial staff members, "The Journalist". Since June 1972 the statements have to be published in the publications concerned. The statements are also announced through the national wire service (NTB), and may thus be published in all newspapers that want to do so.

The mandate of the Council does not include radio and television programmes.

The Council has lately (1970 and 1971) dealt with about 60 cases each year. Annual reports on the work have not previously been prepared, but after the 1972 reorganisation, the Council will publish such reports. In addition the Council has been assigned to go through the existing ethical rules with a revision and modernisation in view. The Council will probably conclude this work in about a year or so.

Oslo, September 1972

Hans A. Ihlebæk
Secretary General

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PRESS COUNCIL

§ 1

The Press Council is established by the Norwegian Press Association, (the organisation of the press for journalists, publishers and editors) and its purpose is to protect and to promote the ethical and professional standards of the Norwegian press.

As a part of this work the Press Council decides on complaints of the methods of the Norwegian press, and makes public statements in such matters. The Council may also judge complaints of institutions, organisations and persons on their behaviour towards the press and the people of the press, while they are exercising their duty of information.

In principle the area of competence for the Press Council includes all kinds of publications - the daily press as well as the weekly and the periodical press - where the basic organisations of the Norwegian Press Association have their members.

§ 2 DIRECTIVES

In addition to our general legislation the directives for the Press Council are based on:

"The Code of Honour for the Press" - passed by the Norwegian Press Association in 1936 and later revised, the last time in May 1966.

"The Editor's Code" - prepared in 1953 by the Norwegian National Federation of Newspapers and the Norwegian Editors' Society.

"Directives for Reportage of Legal Proceedings" - prepared in 1952 and revised and approved by the Norwegian Press Association in 1965 in agreement with the General Attorney, the Norwegian Society of Judges and the Norwegian Society of Solicitors.

§ 3 COMPOSITION

The Press Council consists of 7 representatives, two of these not related to the press, each with a personal substitute.

The Chairman of the Council as well as the other members are appointed by the Executive Committee of the Norwegian Press Association. The appointments are valid for two years at a time from 1 July in the year when the appointment took

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place. Within the Council a working committee, consisting of three members, may be established. Two of the members come from the press organisations. A member is disqualified when special circumstances are at hand which might weaken the trust in his impartiality.

§ 4 FORWARDING OF COMPLAINTS

The Press Council may attend to complaints from individuals, organisations, institutions or authorities. Also the Council may raise a question itself. On the other hand the Council do not ordinarily discuss matters which are brought before the court.

Complaints are addressed to The Norwegian Press Association, Press Council, Rosenkrantz gate 3, Oslo 1.

§ 5 DEALING WITH COMPLAINTS

The daily work of the Press Council is carried out by the Secretariat of the Norwegian Press Association. The Secretariat prepares all cases for the Council, makes the necessary investigations and sees to it that the Council keeps the time limits and handles the complaints as soon as possible.

A complaint which is received by the Secretariat is firstly submitted to the party complained of. If the matter is attended to in a friendly way, the parties concerned give notice to the Council within a limit of usually two weeks.

If the parties do not settle the matter amicably, the party complained of has a limit of two weeks to formulate an answer for the Council. This answer is submitted to the complainant, who must put forward any comments within two weeks. Finally the party complained of has a limit of two weeks to work out his final answer.

When the complainant is not identical with the party or parties concerned, the complaint is presented to the party in question as early as in the first phase of dealings.

When the documents of the case have been presented to the parties concerned, the Press Council must discuss the matter thoroughly and form a statement of the account and give a conclusion as concise as possible.

The same proceeding applies to questions which are raised by the Press Council itself.

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§ 6 ANNOUNCEMENT OF THE STATEMENT

Statements given by the Press Council are public. The statement in the actual case is first sent to the parties involved. Only after the parties have been informed, the statement is free to be published. When a statement from the Council applies to publications not coming out every day, the announcement must take place according to the dates of publication. Good ethics of the press is to announce such statements in the publications involved.

In special cases, for instance when publishing may violate somebody's privacy, the Council may decide not to publish the statement or to publish the statement with the names of the parties withheld.

§ 7 ANNUAL SURVEYS

Every year the Press Council publishes a survey of the matters dealt with and the more important questions relating to the press, which the Council has decided on.

§ 8 FINANCING

The expenses of the Press Council are covered by the Norwegian Press Association according to special agreement between the press organisations.

§ 9 ALTERATIONS TO THE RULES

The initiative of changing the rules for the Press Council may come from the Norwegian Press Association, the Association of Norwegian Journalists, The Norwegian Editors' Society, the Norwegian National Federation of Newspapers or from the Council itself. Final resolutions about changing the rules are passed by the Executive Committee of the Norwegian Press Association in accordance with the rules of the Association.

§ 10

These rules come into effect on 15 March 1972.

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THE ASSIGNMENTS AND DUTIES OF AN EDITOR

It is the duty of an editor-in-chief always to bear in mind the ideal goal of the press, and in loyalty to its inviolable freedom to the best of his judgment labour for what he thinks best serves society.

He must respect the principles of true reportage, clearly distinguish between facts and judgment and avoid concealed propaganda. The view defended by the newspaper should appear openly as an editorial opinion in contents as well as in make-up

An editor is expected to agree with the basic political view of his newspaper, but within these limits he should be free to assert his opinions, even when in specific matters the publisher or the board do not share these opinions. If he enters into an unsolvable conflict with the basic view of the newspaper, he is obliged to withdraw from his position.

In newspapers with no political purpose, the editor is supposed to acknowledge the programme in which the newspaper has its basis.

The editor has the personal and entire responsibility of the editorial contents of the newspaper, and he must not be affected to assert opinions contrary to his conscience and conviction. He has the management of and the responsibility for the work of his staff.

This declaration was made in co-operation by the Norwegian National Federation of Newspapers and the Norwegian Editors' Society, and was passed by both organisations in the year of 1953.

Oslo, 22 October 1953

NORWEGIAN NATIONAL FEDERATION OF NEWSPAPERS

E. NORÉN (sign.)

NORWEGIAN EDITORS' SOCIETY

TOROLV KANDAHL (sign.)

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I. Code of Honour for the Press

II. Rules of the Norwegian Broadcasting Corporation for the Publishing of Information

BE CAUTIOUS

The printed word is a mighty weapon. Take care not to misuse it! The damage that is liable to be caused by the thoughlessness and mistakes committed by representatives of the press is often more far-reaching and profound than anyone can foresee. Be considerate and cautious, be thoughtful and chivalrous. For all you may know the welfare of your fellowmen may be at stake.

In your reportage and in your comments you must set the highest standards of honesty and integrity. Nothing is more calculated to undermine confidence in the press than erroneous or misleading reports and articles. Take the greatest possible care to ensure that your factual information is scrupulously correct, and be particularly wary when you are dealing with material which is liable to damage someone's good name and reputation. A subsequent démenti and apology can never really make good the damage that has been inflicted. Make a clear distinction between news and commentary, and make sure that your headlines do not "promise" more than is actually contained in the article itself.

Do not abuse people's confidence. Never make use in your press work of information of a confidential nature or remarks passed in a private conversation unless you have been expressly allowed to do so. Pay careful attention to deadlines and the like, not only out of consideration for your colleagues but also for the person who has made the information available to you.

Respect the anonymity of your paper's sources of information. Do not reveal the name of your informant or of any authors who use a pseudonym unless the person concerned has agreed to this, or there is a court verdict involved which you are compelled to respect.

On the other hand exercise great caution in your appraisal of such sources and authors: in cases of this kind the entire onus rests with the journalist. Bear in mind that there are a lot of people who are only too anxious to exploit a newspaper in order to pay off old scores or lord it over their fellowmen. Never make use of information or reports sent in by anonymous persons.

Should you slip up, and allow a false piece of information to find its way into print, do not hesitate to correct it in proper fashion. In a case of this kind do not be afraid to admit your mistake and apologise. And be as ready as you can to accept in your columns démenties and refutations sent in by individuals and institutions that have been attacked or been the subject of erroneous information, provided of course that the insert in question is of reasonable length and does not descend to the depths of mere vituperation.

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Be on your guard against reports that reveal military or other secrets of national importance. Bear in mind that it will often be difficult for the layman to assess the detrimental affects of this kind of information. Often apparently trivial information may be of value to the intelligence service of an alien power. If in doubt seek the advice of the responsible authorities.

Take care to make a clear distinction between editorial and journalistic copy and advertising, so that your readers will never be in doubt on this point. It is particularly important to deal in a strictly factual and non-committal fashion with any subject that has or could have some connection with advertising. Be on your guard against all attempts to achieve editorial mention for which there is not adequate covering. Resist all attempts to exert pressure.

It is the right and duty of every newspaperman not to do or write anything that conflicts with his conscience and conviction.

Exercise special care in your reportage of police and court-room news. In such cases human lives will often be involved, and thoughtlessness or lack of consideration on the part of the press can easily cause irreparable damage.

Every journalist is responsible for familiarising himself with and complying with the rules for reportage of court cases laid down by the Norwegian Press Association in collaboration with the Public Prosecutor's Department, the Norwegian Judges Society and the Norwegian Law Society. The following rules are particularly important:

Do not report police charges before the actual process of prosecution has been initiated unless there are special grounds for departing from this rule;

Always bear in mind that a person who has been arrested, charged or prosecuted may prove completely innocent. Guilt is not proved until the final verdict has been pronounced. Make it quite clear therefore on all occasions that the evidence submitted by the police or prosecution in their charges, etc., cannot be accepted as fact until this has been proved in court;

Reports of the evidence given by witnesses and the submissions of counsel during a court case must be objective, and neither party must be favoured by being afforded a disproportionately large share of the headlines, report, etc. Be careful not to present attacks or accusations by witnesses, counsel or others in a sensational way, or such a manner that they have the appearance of established fact.

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Be careful not to give detailed information of evidence in a criminal case while investigations are still proceeding. No one who is called to give evidence in a case must be made to feel that he or she is bound by previous statements made to the press, and it is consequently important not to reproduce such statements in the form of direct speech or as categorical. Nobody who has been called upon to witness in a case should ever be interviewed.

Until such time as a verdict has been reached in a case the press must refrain from comments calculated to influence the bench. It is inadmissible to agitate in favour of conviction or acquittal, to comment on the quality of the evidence or statements of witnesses, or to whip up feeling for or against anyone involved in the case. This does not preclude the press from commenting on the steps that have been taken or the methods that have been employed by the authorities in dealing with the case, or criticising the verdict and the evidence laid before the court, once the case has been concluded.

In describing criminal cases avoid mentioning details that are liable to shock or harrow the readers, or to have other unfortunate effects. Particular care must be shown in dealing with sex crimes. Do not forget to show consideration for the victim or victims and their families.

Do not publish the names - or pictures - of juvenile delinquents. Publicity of this kind may very easily jeopardise the work of rehabilitation, and besides very frequently young people of this kind often commit crimes as a result of sheer thoughtlessness. Be very careful not to recall past crimes and offences that have already been atoned for, and in describing offenders do not mention their race, profession, political or religious persuasions, unless this has some direct bearing on the case.

Witnesses and others appearing in a case have a right to demand consideration in the treatment they are accorded by the press. This applies especially to victims of crimes of violence, blackmail, etc. Never forget your duty to the family and friends of a law-breaker.

Suicide and attempted suicide should not be reported except where special circumstances - e.g. in connection with serious crimes - render this admissible.

In all your work you must be careful not to upset the peace of family life except where weighty considerations affecting the wellbeing of the general community make it absolutely imperative to publicise family matters.

This also applies to the publication of pictures which are liable to offend or violate the sanctity of private lives.

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RULES FOR THE PUBLISHING OF INFORMATION
to be observed by
the NRK's news services, incl. radio and TV news bulletins

GENERAL RULES

1

NRK's sole right to radio and TV transmissions imposes on this institution a special duty to convey news in a correct, objective, unsensational and diversified manner. It must be borne in mind that news emanating from an institution which enjoys a monopoly of the kind enjoyed by the NRK may well produce a stronger effect than a newspaper report, and that it is not subject to the same degree of rebuttal by a similar and rival organ.

A diversified presentation of news presupposes among other things that all political views which may justly claim to be of general interest should be heard. A reasonable balance between the various views concerned should be maintained, taking into consideration their relevance to the current situation.

If a report is broadcast of an attack on a person or persons or on some institution, any public reply should also be mentioned if this is forthcoming within the next few days ensuing.

Any attempt on the part of outside persons or institutions to influence the reportage of news must be rebutted.

As a state institution NRK cannot take sides in a controversial issue.

2

The news service is in duty bound to present all items with an essential news value. News should be presented in a clear and objective form as rapidly as possible, but without the speed of presentation in any way diminishing its accuracy. If there is any doubt on the score of accuracy NRK should refrain from publishing an item of news. In accordance with § 9 of the Broadcasting Act an Order-in-Council of 10 November 1939 has set out rules for broadcasting announcements that are of interest to the State. Apart from the news bulletin service already mentioned the NRK is under no obligation to broadcast any announcements on behalf of any public authorities or private individuals.

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NRK: Norwegian Broadcasting Corporation

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An adequate selection must be made of the available news items, and these must all emanate from reliable sources. Even though an item of news has already been made public, e.g. in a newspaper, it must not be repeated uncritically. The choice of wording in news bulletins must be as careful as possible, so as to avoid any misunderstandings.

4

There must be regular contact between the news sections of the radio and TV staffs, and important items of news that are received by one should be passed on to the other. The sections should confer, and maintain the same policy in question where matters of principle are involved.

5

News bulletins must not be presented as sensational or highly coloured accounts. Even though in broadcasts of current events a greater measure of freedom may be permitted in its presentation, a factual approach should be aimed at and all taint of sensationalism avoided.

Care should be taken to ensure that announcements of an alarming nature are not put across in such a way as to appear frightening.

Announcements of the death of a person cannot be made until next of kin have been informed. Only in cases where overriding public interests or other special circumstances warrant it can this rule be waived.

Reports of crimes committed must be presented with special care, particularly where the use of names is involved.

6

A clear distinction must be made between news items and commentaries. The commentator's name should as a rule be mentioned before his commentary is broadcast.

7

Statements must not be presented in such a way or in such a context that they conflict with what the speaker intended when he made the statement concerned. In condensing announcements, statements, etc., great care should be taken to ensure that the meaning is not distorted. Pictures shown must give a truthful presentation of actual conditions.

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8

A person interviewed must be clearly made to understand that an interview may be subject to editing and cutting.

9

It should be borne in mind that the general rules set out in the Criminal and Civil Codes also apply to radio and television broadcasts, and that no special rules for the responsibilities of the NRK are laid down. Provisions of special interest to the NRK in this connection are those dealing with the sanctity of private life (§ 390 of the Criminal Code), the Libel Law (§ 247 of the Criminal Code) and provisions governing the right to one's own picture (§ 15 of the Photograph Law). The special rules embodied in the law dealing with libel contained in printed matter, e.g. the right to refuse to reveal one's source of information, cannot be applied by analogy to radio and television broadcasts.

10

Care should be exercised in the choice of words and the presentation of subjects involving the relationships between Norway and other countries.

Care should be taken to avoid announcements which disclose military or other secrets of importance to the security of the Realm. In cases of doubt the competent authorities should be consulted.

11

Deadlines must be respected when they have been agreed on by the person or persons making a news item available and the item is not based on information which is otherwise generally available.

12

Caution must be exercised in dealing with items in broadcast programmes which might give the impression of commercial advertising. Items liable to encourage - or discourage - listeners or viewers to buy a particular ware must be avoided, except where special grounds exist for this.

In cases where it is impossible to avoid a touch of advertising in a programme, e.g. in reportage illustrating industrial and/or commercial activity, in outdoor camera shots and so forth, the advertising aspect must be reduced to a minimum. A camera shot, for example, should not dwell on a situation containing an advertising element for so long or in such a way that suspicion is liable to arise that the commercial interests involved are being given special preference.

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13

If a broadcast is found to contain factually incorrect information, a correction must be broadcast in accordance with rules for this issued by the Board of the NRK at their meeting on 10 May 1967.

14

If doubt exists as to whether an item should be included in a broadcast programme, or if in any other respect problems arise in connection with a broadcast, the question involved should be submitted to the programme editor of the section concerned or his stand-in. If the point at issue involves a controversial subject, where discussion can be expected, the programme editor (or his stand-in) should submit the question to the programme director for his decision.

Special rules governing the reportage of legal proceedings

15

Charges preferred by the police should not be mentioned until legal proceedings are instituted, unless special circumstances make this admissible.

16

A person who has been charged, sued or accused may be completely innocent, and the question of guilt will not be established until a final verdict has been arrived at. It must therefore be made quite clear that the charges, etc., preferred by the police and prosecution cannot be accepted as facts until they have been tried in court. Attacks or accusations made by witnesses, counsel and others must not be reproduced in a sensational manner or in such a way that they appear as established facts.

17

Reports of pleadings, evidence, etc., in a court case must be objective, and neither party must be favoured, e.g. by giving unduly generous coverage to one as compared with the other party to the case.

If the case presented by one party is reported, e.g. in a report of a day's proceedings in court, the other party's version must also be given, if necessary in a subsequent broadcast.

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18

Until such time as a verdict has been pronounced in a case, the news service must refrain from making remarks that might be calculated to influence the tribunal.

19

In dealing with criminal cases details likely to revolt or shock, or which in any other way might have unfortunate consequences, must be avoided. Special caution must be shown where sex crimes are concerned. Consideration for the victims and their next of kin and the next of kin of the accused must never be forgotten.

20

Extreme care must be taken in referring to past crimes or offences, for which the person concerned has atoned. In describing offenders there must be no emphasis on their race, nationality, profession, political or religious convictions, where such particulars have no direct bearing on the case.

21

Suicide and attempted suicide must not be mentioned, unless very special circumstances warrant this, e.g. in connection with serious crimes.

Oslo, 4 October 1967