



TECHNICAL UNIVERSITY OF MOMBASA
Faculty of Business & Social Studies

DEPARTMENT OF MEDIA & GRAPHIC DESIGN

DIPLOMA IN MASS COMMUNICATION
(DMAC II, YI, SII)

BMC 2110: MEDIA LAW AND ETHICS

END OF SEMESTER EXAMINATIONS

SERIES: APRIL 2015

TIME: 2 HOURS

INSTRUCTIONS:

- This paper consists of **TWO** Sections **A & B**.
- Section **A** is **Compulsory**.
- Answer any other **TWO** questions in Section **B**.

This paper consists of Three printed pages.

SECTION A (Compulsory)

QUESTION 1

- a) Outline **SIX** functions of law in the society. (6 marks)
- b) Explain the difference between a “civil wrong” and a “crime”. (6 marks)
- c) Explain the difference between “Jurisprudence” and “Jurisdiction”. (4 marks)
- d) Describe the role of the supreme court of Kenya. (6 marks)
- e) Explain why it is rare for Government officials to sue for libel yet they are not totally barred by law from doing so. (6 marks)
- f) Explain “Fair Dealing’ as applied in copyright. (2 marks)

SECTION B (Answer any TWO questions)

QUESTION 2

When a committee appointed by a Government to investigate corruption among the court judges compiled its report and handed it over to the government in 2003, media houses that accessed the report were scared of reporting the details of the report for fear of being sued by the judges who were adversely mentioned. Then the Standard newspaper editors decided to be creative.: they published details of corruption claims against different judges but without mentioning their real names, only calling them judge A, judge B etc. This did not stop one judge in the court of appeal Mr. John Kwach from suing the Standard newspaper. He succeeded in his case and won damage awards of Ksh. 4.5 million.

- a) Explain possible grounds on which Justice Kwach is likely to have relied on to prove a case against The Standard newspaper. (10 marks)
- b) Since The Standard did not lose without a fight, explain **FOUR** relevant grounds they are likely to have used to defend the publication of the corruption story. (10 marks)

QUESTION 3

- a) Discuss **FOUR** circumstances in which a media house can be held liable for invading one’s privacy. (16 marks)
- b) Explain confidentiality and how it differs with privacy. (4 marks)

QUESTION 4

- a) Outline the main guidelines on coverage of children, as per the Kenyan code of conduct and practice of journalism. **(8 marks)**
- b) A journalist who regularly reports on the police and crime news beats learnt that a senior police officer had been found dead inside his car. He confirmed the local police boss that the body did not have a physical injury and investigations were ongoing to find out the real cause of death. The journalist duly published a news story about the police officer's death.

A few days later he went to do a follow up story upon which he established that the officer had gassed himself to death using the exhaust pipe of his vehicle. He also learnt that the officer had huge debts which have driven him to commit suicide. However the police boss pleaded with the journalist not to publish the story about suicide because doing that would stop an insurance company from compensating his family which was already in huge debts.

Explain how you would make a decision ethically on whether to publish the story on suicide pointing out the main factors to consider.

(12 marks)

QUESTION 5

- a) Explain **FIVE** main categories of creative works that are protectable by copyright. **(10 marks)**
- b) Discuss **FIVE** reasons why a society needs to have copyright protection laws. **(10 marks)**