



TECHNICAL UNIVERSITY OF MOMBASA

School of Humanities and Social Sciences

Department of Communication Studies

UNIVERSITY EXAMINATION FOR:

DIPLOMA IN MASS COMMUNICATION

HMC 2108: MEDIA LAW ETHICS & GOVERNANCE

END OF SEMESTER EXAMINATION

SERIES: DECEMBER 2024

TIME: 2HOURS

DATE: Pick DateDec 2024

Instructions to Candidates

You should have the following for this examination

-Answer Booklet, Examination Pass and Student ID

This paper consists of five questions.

Attempt question ONE (Compulsory) and any other TWO questions.

Do not write on the question paper.

QUESTION 1 (Compulsory)

(a) Define

- | | |
|-------------------|-----------|
| i. Libel | (2 marks) |
| ii. Copyright | (2 marks) |
| iii. Plagiarism | (2 marks) |
| iv. Appropriation | (2 marks) |
| v. Martial court | (2 marks) |

(b) Outline SIX characteristics of law in the society. (6 marks)

(c) Explain THREE functions of the Supreme Court of Kenya. (6 marks)

- (d) Differentiate between an act of parliament and a subsidiary legislation. (4 marks)
- (e) Explain TWO forms of copyright transfer. (4 marks)

QUESTION 2

Sarah, an investigative journalist working for *The Daily Herald*, published an article titled "Corruption at the Heart of City Hall." In the piece, she alleged that David, a prominent local businessman, bribed city officials to secure a lucrative construction contract. Sarah based her report on an anonymous source who claimed to have seen David handing over an envelope of cash to the city council's planning director.

David was outraged by the article, insisting that he had never bribed anyone and that the report was completely false. He demanded an apology and retraction from *The Daily Herald*, which they refused, standing by the story. Shortly after the article was published, David lost several business contracts and suffered reputational damage within his community.

David filed a lawsuit for libel against Sarah and *The Daily Herald*, claiming the story was fabricated and had caused significant harm to his business and reputation. Sarah, on the other hand, argued that her article was in the public interest and that the information was from a credible source.

Required:

- a) Explain FOUR key elements of libel in the context of this case study. (10 marks)
- b) Using relevant illustrations from this case, explain FIVE possible defences of libel that Sarah could use in the lawsuit levelled by David. (10 marks)

QUESTION 3

Write short notes on the following torts in privacy showing clearly their meanings and how a good journalist can avoid them:

- (a) Intrusion (5 marks)
- (b) Appropriation (5 marks)
- (c) Publication of private records (5 marks)
- (d) False Light (5 marks)

QUESTION 4

- a. Discuss FIVE benefits of good governance in the society. (10 marks)
- b. In about 150 words explain how the Kenyan constitution tries to ensure good governance. (10 marks)

QUESTION 5

- (a) Explain any SIX of the main articles that you find in the Code of Conduct and Practice of Journalism showing clearly how would comply with them in your daily practice as a news journalist. (15 marks)
- (b) Highlight FIVE key functions of the Media Council of Kenya (MCK). (8 marks)