Media Accountability

Why in news?

Recently, the Chief Justice of India objected to the lack of media accountability in the media's coverage of legal issues.

What is the issue?

- **The police as source-** The police is a crucial source for the media and communication between the two institutions is often a starting point of the troubles of media trials.
- Most police departments do not have dedicated media cells, making officials of all levels authoritative sources of information.
- Unregulated divulgence of case details by an eager police force and disproportionate reliance on this information by the media results in a public stripping of the rights that typically accompany a fair trial.
- **Impact-** Reportage of this nature violates the presumption of innocence and the right to dignity and the privacy of suspects, the accused, victims, witnesses and persons closely related to them.
- They often face social ostracisation and difficulties in retaining employment, making them vulnerable to crime and exploitation.
- Ignorance of these nuances of the justice system has significant implications for citizens and contributes to the public apprehension and mistrust in the system.

What instances report this issue?

- **Bhima Koregaon violence**- While the investigation of the Bhima Koregaon violence (2018) was underway, the police exposed letters purportedly written by the activists that were still undergoing forensic analysis.
- While these letters received extensive news coverage, none of them was presented as evidence in court.
- **Mohammed Zubair's case**- The Delhi police recently admitted to informing the media about the outcome of AltNews' co-founder Mohammed Zubair's bail hearing before the judicial order was even pronounced in open court.
- The matter of how this information was known to the police remains an open issue.

What efforts were taken in this aspect?

- The Supreme Court in *Romila Thapar vs Union of India* , (2018) has repeatedly directed law enforcement authorities not to reveal details of their investigations, especially the personal details of the accused, before trial is complete.
- Kerala is one of the few States to have disallowed photographs and parades of persons in custody within its Police Act.

- Most other States have issued media policy guidelines with enforcement mechanisms through administrative circulars.
- The Ministry of Home Affairs issued an office memorandum outlining a media policy over a decade ago, but this is of limited value given that 'Police' is an entry in the State List.

What role do media possess regarding accountability?

- Apart from making sure that police narratives are accurate before making them public, reporters bear the burden of translating the significance of police versions in a criminal trial.
- Media ethics extend beyond verification of facts.
- **Weakness**- Current media regulation is limited and is not uniform for print and television media and enforcement of these regulations is also slow.
- Self-regulation set-ups such as the National Broadcasting Standards Authority and Indian Broadcasting Foundation are membership-based and easily avoided by simply withdrawing from the group.
- **Need of the hour**- With an increasing call for media regulation, it is in the immediate interest of the media and the general interest of free press, that media institutions look inward to find an answer to what is essentially an ethical crisis.
- A structured and well-designed media policy with training and enforcement mechanisms is the need of the hour for the police.

Reference

1. https://www.thehindu.com/todays-paper/tp-opinion/fair-trial-goes-beyond-courts-to-the-police-and-media/article65752398.ece

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