
Overview

This Standard is about complying with the aspects of UK legal requirements which apply to journalists and content creation – and how they affect what can and cannot be done as part of that process.

It is about the relevant legal restrictions relating to securing and disseminating information about crime, the police and court cases as well as the law protecting national security, public order, intellectual property rights, the rights of commercial enterprises, the rights of individuals, and the rights of minorities and vulnerable people such as children.

This Standard applies to all those working in journalism.

Performance criteria

You must be able to:

1. use accurate information to assess the legality of your activities and outputs
2. seek advice from qualified people when you are uncertain of the legality of your activities
3. use appropriate channels to secure basic details from court officials and court documents when attending court cases
4. comply with the legal restrictions attached to each case or story when court reporting
5. ensure your sources and source information are relevant and reliable at all times
6. ensure that your reporting does not affect any ongoing investigations or active criminal cases
7. use appropriate channels to make legal challenges when efforts are made to limit your access
8. seek advice from appropriate people before embarking on internet research which could put you in breach of legislation
9. check you have the necessary licenses or permissions to use copyright material to create content
10. comply with relevant regulatory requirements and industry codes of conduct at all times

Knowledge and understanding

You need to know and understand:

- current legislation relevant to journalists including those relating to defamation, contempt, copyright, intellectual property, privacy, freedom of expression, data protection, equality, discrimination, obscenity, official secrets act, trespass, photography of children, property release, rights and permissions, contracts, public liability, sexual offences.
- the principles of the Rule of Law in the UK
- the broad structure of the legal system in the UK and specific legal requirements, legal roles and terminology for the nation in which you are working
- the concept of open justice and the rights, responsibilities and restrictions involved in court reporting, publication, access to information and freedom of expression
- your legal rights to attend court cases, and to secure basic details and other information from court officials and court documents
- the reporting restrictions to protect the legal process when reporting active criminal cases
- the reporting restrictions to protect the identity of juveniles and victims of crime
- the general principles of defamation
- when your sources and notes may become subject to legal or police scrutiny for criminal investigations
- the scope and requirements of the defences which can be used in defamation cases, including justification, honest comment, absolute and qualified privilege, the mitigating actions available to broadcasters
- dangers of libel in editorial content, archive or online material
- the use of court injunctions to constrain journalists unless a public interest argument can be won
- the role of regulators and their codes of practice including Ofcom
- rights of access to information under freedom of information legislation and the legal limitations on such access
- the scope of intellectual property rights and what is protected by copyright, including social media and user generated content
- the relevant remedies for, and defences relevant to, breaches of confidentiality
- how relevant legislation differs in other countries and territories in which you are working or operating

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- how to refer issues for expert advice within your organisation - or how to access such advice independently

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Comply with UK legal and regulatory requirements when working in journalism



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