



# The practice and ethics of media release journalism

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## Abstract

*"Media release journalism" involves the use of media release content without fulfilling some or all of journalists' public responsibilities to attribute sources, avoid plagiarism and disclose all essential facts and conflicts of interest that might affect independence. The resulting "news" is not the product of journalistic inquiry or attempts to report a balance of viewpoints, but the preferred representations of the entities that issue media releases. This paper examines the substantial role that media releases play in shaping print news, and notes that codes of journalism ethics and conduct generally fail to mention, or guide use of, media release material. An analysis of the ethics of media release journalism argues that the main ethical issues are deception and trust. The paper calls for journalists to scrutinise and attribute their sources, and for public relations officers to desist from practices designed to deceitfully obtain third-party endorsement from publications.*

## Introduction

The influence public relations people have on news production has always been greater than "scholars recorded, journalists admitted, or news consumers were aware of" (Davis, 2003, p. 31). When asked about the extent of public relations (PR) influence on the news, journalists point to garbage bins crammed with media releases as evidence of their media gatekeeping, while public relations practitioners talk of high success rates (Zawawi, 2001).

"Publicity" for vested interests that is indistinguishable from editorial is commonplace in print news. When examining the blurring of vested interests and editorial, most attention from researchers, regulators and media industry policy makers has focused on the separation between paid advertising and editorial, and various policies relating to "advertorials" have been developed to keep the separation clear.

Practice and ethics of media release journalism, *AJR* 28(1), pp. 167-181 167

223

This paper focuses on the ethics of PR's most frequently used tool for communicating with the media, the less regulated, but no less vested, media release. The paper first reflects on the design, rationale, incidence and use of media releases, and the practice of "media release journalism", before identifying, examining and evaluating the ethical implications of media release journalism using conceptual analysis based on contemporary ethical theory, moral philosophy and epistemology. An example of media release journalism is used to help convey the practical implications of the ethical issues identified. The example highlights and illustrates the generic ethical problems to which media release journalism gives rise. The primary intention in the selection of one example for discussion is not to illustrate the extent of the practice of media release journalism, but to determine whether media release journalism as such is ethically problematic.

It will be argued that the main inherent ethical problems in "media release journalism" (as distinct from the proper journalistic use and disclosure of media release sources in the creation of editorial news) are those of deception and manipulation; both with regard to the actions of those involved in their initial design, and those involved in their publication as media release journalism.

### **Media releases and the professions involved**

A media release<sup>1</sup> (aka "news release" or "press release") is "an announcement or story written by a public relations officer or employee of some organization" (Rich, 2000, p. 76), "... to let people know what an organization is doing" (Seitel, 2004, p. 401). Media releases have been described as the most important public relations tool (Bollinger, 2003), the most frequently used public relations tactic (Wilcox & Cameron, 2006), and the most common tool for conveying information to the media (Cameron, Sallot & Curtin, 1997). Linning says information provided by public relations "... must always be seen as 'instrumental' or contributing to persuading and mobilising the target audience to buy a product, support an issue or vote for a particular candidate" (2004, p. 67). Seitel says that frequently the overriding purpose of media releases is "to influence a publication to write favourably about the material discussed" (Seitel, 2004, p. 402). Organisations continue to use them because they have several advantages<sup>2</sup> over informal communication<sup>3</sup>, and because they are effective (Bivins, 2005).

Most PR public discourse about media releases is careful not to gloat about "success rates" in ways that might be perceived to diminish journalism's editorial independence. "The best any public relations practitioner can hope for is careful and considered attention from the journalist." (Johnston, 2004, p. 271) PR teaching texts and other guides to writing news releases say that although news releases are sometimes used verbatim, this should not be expected. Public

relations people are taught that “reporters and editors have no obligation to use any of the information from a news release in a news story” (Wilcox & Cameron, 2006, p. 357) and that the key to effective news releases is in the placement of the release:

... knowing when something is newsworthy and when it is not, and knowing your contacts in the media and their schedules and guidelines, are the most important elements of news release writing. (Bivins, 2005, p. 103)

Guides on how to write news releases are backed by long traditions of practice and research aimed at helping PR practitioners better understand and provide journalists with what they want, “thereby increasing chances of publication” (Cameron, Sallot & Curtin, 1997). Although the descriptive nature of most media release acceptance studies makes generalisation difficult, Cameron et al claim that the credibility, or personal knowledge of, the source, and acceptance by wire services help predict use by journalists (1997, pp. 136-137).

#### **How are media releases used by journalists?**

As Jempson points out, members of the public can't know each journalist, and so need to be able to trust journalists to check sources and motives (2005). News reporters are taught that media releases are not written as balanced news stories and generally express only the self-promoting viewpoint of the organisation issuing the release. Journalism students learn that media releases can be used as a starting point or idea for a story, but that they should seek additional information, and attribute sources where facts and quotes are not independently verified.

In many cases, the press release contains quotes from an official or source within the organization. If you can't reach the source to get comments yourself, you may use the quotes. But you should attribute them to the press release. (Rich, 2000, p. 76)

The advice to attribute media releases as source is often not met by journalists, and major journalism industry codes fail to provide explicit guidance to journalists about the correct use of media release material. The main journalism industry code of ethics in Australia refers generally to the need to attribute information to its source, retain editorial independence and disclose any conflicts of interest (Media Entertainment and Arts Alliance, 2005). It doesn't give specific guidance on media releases, but Richards says there is a case to be argued for the code to specifically address the issue of journalists and plagiarism of media release material (Richards, 2005). In the US, the Society of

Professional Journalists (SPJ) code of ethics states that journalists should distinguish between news and advocacy, and shun hybrids of news and advertising that blur the lines between them, but does not specifically mention media releases (SPJ, 2005). The Norwegian Press (NP) code of conduct says advertisements intended to imitate or exploit editorial should be refused, and editors should reject "any attempt to break down the clear distinction between advertisements and editorial copy" (NP, 2003, 2.6), but does not mention media releases. The Code of Conduct for the UK and Ireland's National Union of Journalists (NUJ) says journalists should avoid distortions due to advertising considerations, but doesn't mention media releases (NUJ, 2004). The code of ethics for the Fédération Professionnelle des Journalistes du Québec (FPJQ) specifically addresses "info-mercials", and says there "must be a clear separation between information and publicity" (FPQJ, 1996, 5d), but does not mention media releases.

The German Press Council (GPC) addresses media releases specifically, but only briefly, saying that media releases "issued by public authorities, political parties, associations, clubs or other lobby groups must be clearly defined as such if they are published without having been edited" (GPC, 2001, 1.3). It doesn't specifically refer to private or profit-making organisations or define "unedited", but in a later section on "Surreptitious Advertising" says that "the credibility of the Press as a source of information calls for particular care in dealing with PR material and in producing editorial supplements" (GPC, 2001, 7.2).

Quantitative studies have consistently found that large amounts of print media news derive from media releases and public relations sources. In Australia, one study confirmed the origins of 683 articles in leading metropolitan Australian newspapers (Melbourne's *The Age*, *The Sydney Morning Herald* and Brisbane's *The Courier-Mail*), and found that 47 per cent were the result of PR releases and other activity (Zawawi, 2001). Another tracked 150 media releases from 27 companies and 2500 media articles on the same topics. It found that 31 per cent of the articles were wholly or partly based on the media releases. Only nine releases out of the 150 were not used at all by the media (Macnamara, 2006). US studies refer to researcher estimates that up to 80 per cent of news is influenced by news releases and other public relations sources (Shin & Cameron, 2003b; Cameron, Sallot & Curtin, 1997). Current UK writers are strident in their claims about the powerful influence of public relations on the news and media. Linning says media releases and other public relations products play "an almost dominant role in providing and shaping media output" (2004, p. 66).

The Australian Press Council (APC) has made two adjudications on media releases in the past decade (APC, 2002, 1996). In both instances, the council dismissed complaints by politicians who felt their viewpoints had not been ade-

quately reported by a newspaper. The Press Council does not have a guideline on the reporting of media releases, as it does for advertorials, but in dismissing complaint number 1146 (2002), it praises the *Central Coast Sun Weekly's* policy of insisting that its journalists "verify and cross check anything that arrives in a press release". The adjudication also notes that:

The Press Council regrets the tendency among political candidates and others to assume a right to have their press releases printed unquestioned. Equally, some papers and journalists have shown a tendency to print press releases virtually verbatim under pressure of deadlines. (APC, 2002)

Journalists and editors are encouraged to use their right to choose and reject the PR material they receive, but some industry trends suggest journalists may be becoming increasingly reliant on material from PR sources. In the UK, Davis presents evidence of trends to increasing resources in public and private sector organisation communication efforts, while journalists battle with increasing newsholes and demands for individual output (2003). The Graduate Careers Council of Australia says it is difficult to predict trends in journalism employment, but points to a rapid increase in employment in the public relations area and to "major newspapers ... getting bigger with more sections" (2002, p. 10). An article in the *Melbourne Age* refers to falling numbers of journalists at major newspapers in Australia and the US (Wood, 2005). These trends increasingly compel journalists to react to what is made available when creating news, rather than proactively finding and researching stories (Davis, 2003). Other studies have found that small news staffs and large newsholes for journalists to fill increase acceptance of external material (Cameron, Sallot & Curtin, 1997). Cutbacks to proactive newspaper roundspeople have also forced organisations to take their news to the media to get their message across (Macnamara, 2006).

A content analysis of PR-sourced news stories found that only a few prompted extensive research. The majority of journalists ran with the PR standpoint and did not seek opposing views.

This presents an interesting insight into journalism practice, as far from seeking the opposing point of view in order to assure impartiality or lack of bias, journalists and editors seem happy to accept the world view of their information subsidisers. (Zawawi, 2001, p. 6)

While journalists' dependence on PR sources increases, and there is widespread acceptance of the media release standpoint, journalists are reluctant to acknowledge PR as a source (Macnamara, 2006; Zawawi, 2001). The PR industry provides newspapers with access to individuals and organisations for news stories, and copy and quotes in media releases, but their contribution is

seldom acknowledged. Zawawi found that journalists disclosed sources where “those sources, confer credibility on the stories”, but not when they are PR practitioners (2001, p. 4).

### **Media release journalism**

The phenomenon referred to in this paper as “media release journalism” involves the printing or broadcasting of media release ideas and material without fulfilling some or all of journalists’ public responsibilities. Using the language of Australia’s Media Entertainment and Arts Alliance (MEAA) Code of Ethics, these responsibilities include: striving for disclosure of all essential facts and giving a fair opportunity for reply; attributing information to source; disclosing commercial and other conflicts of interest that might affect independence; and avoiding plagiarism (MEAA, 2005). Thus media release journalism news stories are not the result of journalistic inquiry and attempts to report a balance of viewpoints, but the preferred representations of the individuals and entities that generated the media release. When an organisation’s media release message appears unchecked and unchallenged as news, it looks like editorial content. Average readers not familiar with the way journalists work would find it difficult to discern that a story was based on a media release (Zawawi, 2001). One result is that the organisation’s preferred message, when it appears as editorial, acquires the implied third-party endorsement of the publication.

In April 2005, the Australian Broadcasting Corporation’s *Media Watch* television program presented a report on “Media Drug Dupes”, a clear example of “media release journalism”. A media release issued by a public relations company on behalf of a drug company was printed “almost word for word” in the *Perth Sunday Times*, *The Manning River Times* and the *Central Coast Sun Weekly* (the paper praised by the Australian Press Council in 2002 for its policy of insisting that journalists verify and cross-check media release content). The *Central Coast Sun Weekly* also gave a byline to one of its reporters. This is a practice used extensively by the print media in Australia (Zawawi, 2001), but not generally objected to by the public relations consultants involved (Richards, 2005).

The media release had been crafted to grab the attention of overweight people and to invite people to a website to discuss a new, “direct and honest approach” to weight management with a doctor. Neither the media release nor the final articles mentioned medication, but as well as including advice on diet and exercise, the website introduces prescription medication as an aid to weight loss. *Media Watch* points out that a quick internet search by the journalist would have revealed that adverse reactions to the company’s weight-loss drug had been reported to the Food and Drug Administration in the US. The end

result of the media release is free advertising in editorial style for the drug company, directing people to the website that promotes its weight-loss drug.

Although "media release journalism" normally involves the interaction of two professions – public relations and journalism – journalists are the ones most often held responsible for the blurring of editorial and vested interests. As gatekeepers for the public interest, journalists are positioned as having the ultimate professional and legal responsibility for what appears as news. Researchers refer to the need for journalists to build confidence that they work in the public interest (Jempson, 2005), to scrutinise information provided by PR firms (Zawawi, 1998) and to acknowledge their sources (Macnamara, 2006). Baerns says the view of senior high court judges in Germany is that journalists, not public relations people, "are to be held to account for all decisions on selection of media content" (2003, p. 110).

#### **Unholy alliance: an example of deception by collusion**

As mentioned above, *Media Watch* presented a story involving a PR campaign that resulted, either by intention or negligence, in the deception of the Australian public. The campaign was prepared by an Australian PR consultancy firm on behalf of its client, Abbott Australasia, a pharmaceutical company. Jackson claimed that "small local papers appear to be a target" of a public relations company "ruse" or "trick" to get them to use their media releases.

Abbott's PR company thoughtfully tailors its press releases to each region, by inserting alarming figures on the local obesity problem. (Jackson, 2005)

Abbott's PR firm (referred to here as XYZ), targeted several regional newspapers around Australia which subsequently published its media releases as journalistic editorial. According to *Media Watch* (April 18, 2005), the Abbott media release appeared verbatim as news in the Perth *Sunday Times* (November 21, 2004), *The Manning River Times* (February 4-5, 2005) and the *Central Coast Sun Weekly* in NSW (December 16, 2004) without any acknowledgement in any of these publications that it was a media release. In the light of the above information concerning the Abbott case study and on the basis that deception is prima facie ethically objectionable, we can determine whether the practice of passing off media releases as news or journalistic comment or opinion is unethical.

In the case of the journalists and their newspapers who presented Abbott's media releases as independent comment designed to look like news, the answer is affirmative. Journalists are ethically and professionally committed by their own avowed professional role as instantiated in their codes of ethics to provide information to the public on matters of public interest in an honest, objective,

fair and accurate manner, without allowing commercial or other biased interests to interfere with those principles: specifically, the fundamental principles of journalism – truth and the public's right to know. In the Abbott case, the journalists and their organisations that misrepresented Abbott's media releases as news, either knowingly or negligently, acted unethically as they misinformed the public about a matter of public interest. Insofar as the journalists and their organisations knew or ought to have known that presenting media releases without reference to or acknowledgement of their actual nature and source was likely to mislead or, worse, deceive the public, they were culpable of deception concerning a matter of public interest. Clearly, obesity, as an important issue of public health, is a matter of public interest.

But even if media release journalism is in some way deceptive, one could still legitimately ask why this type of deception is unethical. What exactly renders it unethical? After all, some forms of deception, far from being unethical, can on the contrary be perceived as ethical because in some circumstances they serve the public interest: for example, journalists who might have to use deception to conceal their true identity as the only practical means of uncovering and exposing political or other forms of public corruption. Thus it is not the case that all forms of journalistic deception are unethical. As a general rule, deception will be deemed ethical in some special circumstances if its use is the only practical means of serving the public interest, for example, by providing information on significant matters of public interest such as corruption. By contrast, it will be deemed unethical if the deception undermines the public interest which journalists are morally obliged to serve according to their own professional role as instantiated in their codes of ethics. We will thus be able to demonstrate why media release journalism is unethical if we can show how it undermines the public interest. We will do so by reference to some key contemporary ethical theories that demonstrate that deception by media release journalism undermines the public interest and is thus ethically objectionable.

#### **Evaluation on the basis of ethical theories and arguments<sup>4</sup>**

Due to constraints of space, we will limit our discussion of ethical theories to two, one deontological (Alan Gewirth's Ethical Rationalism) and one consequentialist (utilitarianism). According to contemporary American philosopher Alan Gewirth<sup>5</sup>, we all have natural rights to freedom and wellbeing by virtue of being purposive agents. As human beings we all possess the natural property of being purposive, meaning being in possession of a natural disposition of having purposes or goals that we, individually and collectively, want to pursue and fulfil, and thus we have rights to freedom and wellbeing. And we have these rights by virtue of the fact that freedom and wellbeing are essential conditions for all purposive action; action required to pursue and fulfil our individual and collective purposes as human beings.



Moreover, because these rights emanate solely by virtue of a common natural disposition of having purposes or goals that we want to fulfil, rights to freedom and wellbeing are essentially universal rights, since they arise out of our common shared property of human purposiveness. Accordingly, the Principle of Generic Consistency (PGC) is formulated as follows:

Act in accord with the generic rights of your recipients as well as of yourself. (Gewirth, 1978, pp. 104-198)

The PGC states that rights to freedom and wellbeing are universal human rights that should be respected in others as well as in oneself. Moreover, Gewirth's moral rights to freedom and wellbeing are universalisable simply because they are capable of being applicable to everyone at all times and in all places without exception under similar conditions (Gewirth, 1978). According to Gewirth's PGC, media release journalism is unethical because deception for self-serving reasons that results in misinforming the public on a matter of public interest violates the collective rights to freedom and wellbeing of the public, specifically, the public's right to receive independently corroborated and objective information from journalists on a matter of public interest so they can make their own informed decisions and avoid potential harm that might result from commercially biased and misleading information.

According to the consequentialist argument, sometimes also referred to as the utilitarian argument, the morality of an action depends on its consequences. Thus an action is moral if it results, overall, in good consequences for the greatest number of people affected by that action. To put it another way, an action is moral if it results in a maximisation of utility (utility understood as preference satisfaction or happiness or pleasure or something equally desirable) for the greatest number of people affected by that action. Similarly, an action is immoral if it results, overall, in bad consequences, especially harm, or overall reduction of utility, for the greatest number of people affected by that action. According to the consequentialist argument, therefore, the practice of media release journalism is morally wrong insofar as it results in deception that has potentially bad consequences overall for the greatest number of people.

Application of the ethical theories discussed above demonstrates that insofar as media release journalism has the tendency to deceive the public, it is ethically unacceptable. It is deontologically unacceptable because self-serving deception is precluded by Gewirth's Principle of Generic Consistency, which requires that the rights to freedom and wellbeing of every person be respected. Deceiving people is unethical because it violates people's rights to freedom and wellbeing, as misinformation on a matter of public interest (for example obesity) may impact negatively on the public's individual and collective rights to freedom and wellbeing.

Consequentially, much media release journalism is ethically unacceptable because it may result in bad consequences by causing harm, or at least poten-

tial harm, to members of the public who might rely upon it to make informed decisions about products or services. Deception per se can also be deemed morally wrong under utilitarianism, as it may result in an undermining of public trust in the veracity and integrity of the media's communication processes. As public trust is essential to democracy, the undermining of public trust through unreliable and non-credible media practices may result in the undermining of democracy itself.

### **Deceptive even if true**

But what if the information contained in a media release was accurate? Let us assume in the case of the Abbott media release that it was. By disseminating that information to the public, weren't the journalists fulfilling their ethical obligation in accordance with their professional role to inform the public accurately on a matter of public interest? The answer is no, for the simple reason that "information" defined as "instructive knowledge" must meet the essential conditions of "knowledge", traditionally defined in epistemology as "justified true belief" (the origin of this traditional definition of knowledge is in Plato's *Thaetetus*). Thus information, as a species of knowledge, must meet the essential conditions of belief, justification and truth. Even if reported accurately, the report of Abbott's media release lacked justification since there was no independent and credible corroborating evidence that the information was accurate.

In the absence of any other independent information from a credible source corroborating the material in the Abbott media release, the information reproduced verbatim by the journalists and their organisations lacked epistemic credence. Thus the journalists and their organisations failed in their ethical duty of presenting information to the public which to the best of their knowledge was objective and credible. Yet they ought to have known that the information reproduced from the Abbott media release lacked corroborating evidence from a credible independent source. Moreover, the journalists ought to have known that readers of their papers would have taken the Abbott media releases presented as "news" at face value, and in so doing would have been misled and deceived.

In addition, the deception of presenting media releases as news to readers is a breach of a duty of trust. A professional duty of trust owed by journalists not to misinform them on matters of public interest is enshrined in almost all journalistic codes of ethics around the world, including Australia's. For example, the MEAA Journalists' Code of Ethics states clearly and unequivocally that:

Respect for truth and the public's right to information are fundamental principles of journalism. ... They scrutinise power, but also exercise it, and should be accountable. Accountability engenders trust. Without trust, journalists do not fulfil their public responsibilities. (MEAA, 2005)

Journalists are thus morally obliged not to deceive the public through the dissemination of media releases designed to look like editorial comment or news. To the extent that they do, they act unethically and abuse their duty of trust to inform the public in a fair and balanced manner. If the journalists and their organisations who published the deceptive media releases are morally culpable of that deception, what about the PR consultants who produced those media releases?

Doesn't the ultimate ethical responsibility of not presenting PR media releases as news lie exclusively with the journalists and not with the PR practitioners who provide these media releases? Even if journalists do have the ultimate responsibility, PR practitioners are not free of all moral responsibility. Insofar as the public is subjected to deception as a result of the PR strategy of presenting, through the collaboration of lazy or unscrupulous journalists, media releases as journalistic comment, the PR practitioners responsible for producing and disseminating those media releases are party to the deception and thus culpable of unethical professional conduct. A person (A) who makes available a weapon to another person (B), knowing that (B) is highly likely to use the weapon to violate the rights of citizen (C), is party to that violation and thus ethically culpable of the violation even if the greatest moral responsibility falls ultimately on person (B), who pulls the trigger. By aiding and abetting a practice that results in deception, PR practitioners are acting unethically in accordance with the ethical theories and arguments discussed above.

### **Conclusion**

In this paper we have argued that the practice of media release journalism often involves the publication of unchecked viewpoints of vested interests masquerading as journalistic comment or news. This undermines the process of the communication of information that requires adherence to the principles of truth and honesty and the avoidance of deception that are antithetical to the proper function of the dissemination of information. For information conceived as a form of knowledge must of necessity meet the conditions of knowledge: belief, justification and truth. The practice of media release journalism constitutes deception, and second, because it constitutes a breach of trust owed by the communicators (the journalists and the PR practitioners) to those with whom they communicate, including the general public.

The problem in establishing that unethical practices by PR practitioners are also breaches of professional trust lies in demonstrating that public relations practitioners owe a duty of trust to their audiences. Given that the codes of ethics of the Public Relations Institute of Australia contain clauses that specifically prohibit deception and the dissemination of misleading information to the public, this establishes a pre-existing quasi duty of trust by members of the PR industry not to mislead or deceive the public. To the extent that PR profes-

sionals sometimes engage in systematic strategies and practices of misinformation designed to mislead and deceive the public, those strategies and practices constitute a breach of trust and are thus ethically objectionable.

The deception perpetrated on the reader by media release journalism is largely removed when journalists clearly attribute the media release as source. Future research should examine why journalists frequently don't disclose media releases as news sources, the adequacy and implementation of codes of journalism and public relations practice in relation to the ubiquitous media release, and the scale of the problem of media release journalism.

#### Notes

1. A media release announces an organisation or entity's activities or official position on some topic. It is normally less than two A4 pages long when in paper form, but can also be issued electronically, as video for television (video news release) and as audio for radio.
2. Media releases enable organisations and public relations practitioners to think through and carefully articulate their preferred interpretation of an issue or event. They're inexpensive to produce and distribute widely, can be formally approved before release, and lessen the likelihood of misquotes or factual errors being printed. Media release conventions relating to layout, writing style, length and use of the "inverted pyramid" have developed as a language understood by practitioners in public relations and journalism.
3. Shin and Cameron categorise media releases as formal or official media relations practice, distinct from informal relations such as private meetings and activities for friendship such as entertainment, golf or unofficial phone calls (2003a).
4. The analysis of ethical theories in this section refers to a similar analysis in Spence & Van Heekeren, 2005 (pp. 9-13).
5. See Gewirth, 1978.
6. For a detailed exposition and justification of Gewirth's argument for the Principle of Generic Consistency and its applied applications, see Spence, forthcoming 2006.

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