

Words to action

Investigative reporting on corruption



A Guide for Media Professionals



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Contents



1. Introduction	04
2. The Project	05
3. Why investigative reporting?	06
4. Glossary	07
5. Context : Corruption in Sri Lanka	09
6. Legal Framework	10
7. The Media's Role	11
8. The power of investigative journalism	13
9. How do we perform?	14
10. Qualities & tools	15
11. Tips & Guides	17
12. Seven Basic Rules	18
13. Investigative approach	19
14. Ethical Framework.....	20
15. Lurks and perks	21
16. Conclusions	22
17. Resources	23

Introduction

Corruption is like a disease, infecting a country when it is weak. Left to run unchecked, this disease can spread and grow in the country's vital organs – its institutions – sickening the rest of the body until it is crippled.

The media plays a vital role in keeping corruption in check. It can play a key role in treating a country afflicted with corruption. Often referred to as the Fourth Estate – after the government, the law-makers and the judiciary – the media is a vital link between a country's authorities and its people and in important check on power.

In the wake of the tsunami of December 26, 2004, Sri Lanka was weak. The tsunami had claimed 30,000 lives and left behind hundreds of thousands of refugees. A whole

society was traumatised, and the world looked on in shock.

The devastation prompted a kinder wave, one of humanitarian assistance: resources for rehabilitation and development assistance came from all parts of the world. But in an unstable society, large sums of money can bring problems, and soon allegations and accusations emerged that the aid money had not been properly utilised.

The 2006 Transparency International *Corruption Perception Index* saw Sri Lanka's corruption ranking slide. Sri Lanka was once the best performing country in the South Asian sub-continent, but for the first time it now ranks below India. Transparency International says this is a warning sign that action is needed to stop corruption.

How to use this book

The media is critical to the investigation and exposure of corruption. This is especially true in preventing corruption in relation to tsunami rehabilitation and reconstruction.

In this handbook we aim to define the issues of corruption, put them into the context of Sri Lanka, and explore the media's role in exposing corruption and encouraging accountability.

We present and analyse the findings of our research into CIR in the Sri Lankan media – the experiences of Sri Lankan reporters, how they perceive their role and responsibility when it comes to corruption.

We define investigative journalism and explore the qualities, skills and tools that make a good investigative reporter. Case studies are integrated into the handbook to help illustrate corruption and CIR in action.

This handbook is intended as a practical reference. Many journalists are already

practicing the basic skills of investigative reporting, and this book aims to direct them to focus and strengthen those skills.

Resources and links to more information and possible sources for investigative sources are listed, while discussion points are provided to stimulate discussion on best practice of CIR.

These discussion points could form the basis for debate and idea-sharing within a newsroom, or indeed a focus for reflection for individual journalists.

Above all, this handbook aims to empower Sri Lankan journalists with the knowledge of the media's integral role in exposing and fighting corruption. By working together, encouraging best practice and ethical reporting for the good of Sri Lankan society, the media is the one institution that can potentially hold Sri Lanka's authorities accountable to the people they should be serving.

The Project



Sri Lanka anti-corruption programme is a collective effort of civil society

This handbook is the outcome of a training program conducted jointly by the Free Media Movement (FMM) and the International Federation of Journalists (IFJ) for journalists in Sri Lanka. Focusing on Corruption and Investigative Reporting (CIR), the program aims to create a culture or watchdog journalism in Sri Lanka.

Through a holistic approach including research, training, field work and roundtable discussions with editors, the project aimed to create a corps of investigative journalists able to investigate, assess and report on corruption generally and particularly the tsunami reconstruction effort. By training Sri Lankan journalists in the skills of investigative journalism, we hope to build a dialogue between media, tsunami reconstruction agencies and civil society organisations, to promote accountability and transparency.

The program was conducted from October 2006 to July 2007.

First 106 journalists were consulted for a survey on investigative journalism on corruption and fraud. The survey looked into the attitudes of journalists and the status of investigative journalism in Sri Lanka on corruption and fraud and sought to identify obstacles to good journalism. The survey results are discussed in Chapter 5.

The program was conducted for journalists from those areas most affected by the tsunami. Initially, about 125 journalists were accepted for the two-day training program. Then a one-day refresher training program was held for the same journalists. In the interim, the journalists were motivated to write reports and articles on tsunami rehabilitation and reconstruction.

The IFJ trained 12 experienced journalists as trainers to conduct the two-day training program. The refresher course,

that both reviewed the training program and the journalists' investigative reporting experience, was led by the IFJ.

Additionally, 24 full-time journalists from different media organisations were inducted for a five-day field-reporting training program. They were also provided with two-day training programs at intervals. Field training also provided opportunities for investigative journalism on corruption and fraud. Comments and observations by journalists who participated in these training programs were given due consideration in compiling this booklet.

The last phase of the training was a round-table discussion with editors. This discussion on investigative journalism focusing on corruption and fraud was attended by 15 editors. Comments and observations these editors made at the discussion are also included in this handbook.

This program envisions a network among journalists interested in investigating corruption and fraud to facilitate a discussion that would help improve their perceptions.

Another long-term output of this program would be maintaining a website exclusively on corruption and fraud. We expect this to be a success as journalists become more fluent in IT and internet access improves. This is expected to be further expanded with information from the website fed into an e-mailing list.

Although the IFJ and the FMM were responsible for this program, the five leading media organisations assisted with implementation: Sri Lanka Working Journalists' Association (SLWJA), Federation of Media Employees' Trade Unions (FMETU), Sri Lanka Muslim Media Forum (SLMMF), Sri Lanka Tamil Journalists' Alliance (SLTJA) and the FMM.

Material for the program was developed in the three languages used in the country. The importance of investigative journalism on corruption and fraud cannot be emphasised enough. Yet, there is much room for improvement with the current low levels of CIR in the Sri Lankan media. We need to encourage journalists to understand their role in the fight against corruption, and encourage their employers to provide the resources and support necessary for CIR. We believe this handbook will add to such promotion of investigative journalism.

Why investigative reporting?



corruption violates peoples' rights. Does this voice reflect in media loudly?

The role of the media is critical in promoting good governance and controlling corruption.

It not only raises public awareness about corruption, its causes, consequences and possible remedies but also investigates and reports incidences of corruption.

The effectiveness of the media, in turn, depends on access to information and freedom of expression, as well as a professional and ethical cadre of investigative journalists.

If corruption is the disease, investigative reporting can be seen as the treatment. It is an expensive treatment, one that takes time to work, and it requires a high level of skill from those who administer it.

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-Rick Stapenhurst in "The Media's role in curbing corruption" for the International Bank for Reconstruction and Development

At best, journalism not only exposes corruption and flaws in the system, but can be instrumental in resolving them. By illuminating all sides to an issue and tracking its development, the media can help a society understand corruption and its causes, and encourage them to seek solutions.

First of all, this requires identification of common as well as special instances of corruption and fraud in society. Such a media practice provides opportunities in finding the ranking of our country in corruption and fraud in a global context and reasons for such ranking, why corruption and fraud take place in a significant way, especially in poor countries, and also to understand what special reasons there are in Sri Lanka for the increase in corruption and fraud.

The media must understand the legal framework for countering corruption and fraud in Sri Lanka. Understanding the structures and policies in question facilitates advocacy against corruption and fraud.

Equally important is the ethical framework in which the media must operate. Journalists are just as susceptible to corruption and fraud as others in society; but by being educated about what constitutes corruption, journalists can be alert to the warning signs.

Good investigative reporting does not come easy or cheap, but it is invaluable for a healthy society.

With the advent of the Web and the blogosphere, rumours and misinformation have run rampant. Simultaneously, officialdom has grown more secretive, public relations and media manipulation have become more sophisticated, and the free press has suffered ever more relentless attacks by governments and corporations that don't want the public to know what they've been up to.

But good investigative reporting cuts through those rumours, misinformation and manipulative practices. Investigative reporting rips through veils of lies that hide corruption, incompetence and injustice. It reveals dangers that governments and businesses should disclose, but fail to do. It provides accurate, useable information that ordinary people can use to protect themselves.

(Brant Houston is Executive Director of Investigative Reporters and Editors. www.ire.org.)

Glossary

Defining corruption and fraud



- Corruption: where a person, who should act with integrity, is guilty of dishonesty by accepting some form of bribe.
- “A person who is entrusted with a public or a private duty or obligation, to solicit any kind of inducement in whatever way other than what he/she is entitled to, in order to discharge such duty or obligation.”
- “Corruption takes place where people abuse their power for their own benefits, but not for what they have been obliged to do according to rules.”
- “Public office used for private gain causes loss to the government and to the public.”
- “Abuse of power by persons holding authority.”
- “Willingness to do unlawful things for personal gain.”
- “Inducement to do wrong things succumbing to such inducement.”
- “Expecting rewards for doing one’s duty.”
- “The behaviour of somebody violating the rule or other’s rights.” Combating Corruption: A Training Manual

“GRAND” AND “PETTY” CORRUPTION

Grand corruption pervades the highest levels of a national government, leading to a broad erosion of confidence in good governance, the rule of law and economic stability. Petty corruption can involve the exchange of very small amounts of money, the granting of minor favours by those seeking preferential treatment or the employment of friends and relatives in minor positions. The most critical difference between grand corruption and petty corruption is that the former involves the distortion or corruption of the central functions of the government, while the latter develops and exists within the context of established governance and social frameworks.

“ACTIVE” AND “PASSIVE” CORRUPTION

In discussions of transactional offences such as bribery, “active bribery” usually refers to the offering or paying of the bribe, while “passive bribery” refers to the receiving of the bribe.

BRIBERY

Bribery is the bestowing of a benefit in order to unduly influence an action or decision. It can be initiated by a person who seeks or solicits bribes or by a person who offers and then pays bribes. Bribery is probably the most common form of corruption known. The “benefit” in bribery can be virtually any inducement: money and valuables, company shares, inside

information, sexual or other favours, entertainment, employment or, indeed, the mere promise of incentives.

EMBEZZLEMENT, THEFT AND FRAUD

In the context of corruption, embezzlement, theft and fraud all involve the taking or conversion of money, property or valuable items by an individual who is not entitled to them but, by virtue of his or her position or employment, has access to them. Fraud, however, consists of the use of false or misleading information to induce the owner of the property to relinquish it voluntarily. "Theft," per se, goes far beyond the scope of corruption, including the taking of any property by a person with no right to it. Elements of fraud are more complex. Officials may create artificial expenses; "ghost workers" may be added to payrolls or false bills submitted for goods, services or travel expenses.

EXTORTION

Whereas bribery involves the use of payments or other positive incentives, extortion relies on coercion, such as the use or threat of violence or the exposure of damaging information, to induce cooperation. As with other forms of corruption, the "victim" can be the public interest or individuals adversely affected by a corrupt act or decision.

ABUSE OF DISCRETION

In some cases, corruption can involve the abuse of a discretion vested in an individual for personal gain. For example, an official responsible for government contracting may exercise the discretion to purchase goods or services from a company in which he or she holds a personal interest or propose real-estate developments that will increase the value of one's personal property.

FAVOURITISM, NEPOTISM AND CLIENTELISM

Generally, favouritism, nepotism and clientelism involve abuses of discretion. Such abuses, however, are governed not by the self-interest of an official but by the interests of someone linked to him or her through membership of a family, political party, tribe, religious or other group.

IMPROPER POLITICAL CONTRIBUTIONS

One of the most difficult challenges in developing anti-corruption measures is to make the distinction between legitimate contributions to political organisations and payments made in an attempt to unduly influence present or future activities by a party or its members once they are in power. A donation made with the intention or expectation that the party will, once in office, favour the interests of the donor over the interests of the public is tantamount to the payment of a bribe.

(Abridged version: UNITED NATIONS Office on Drugs and Crime, The Global Program Against Corruption, UN Anti-Corruption Tool Kit, 3rd Edition, Vienna, September 2004)

Corruption Definitions

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- "A person who is entrusted with a public or a private duty or obligation, to solicit any kind of inducement in whatever way other than what he/she is entitled to, in order to discharge such duty or obligation."
- "Corruption takes place where people abuse their power for their own benefits, but not for what they have been obliged to do according to rules."
- "Public office used for private gain causes loss to the government and to the public."
- "Abuse of power by persons holding authority."
- "Willingness to do unlawful things for personal gain."
- "Inducement to do wrong things succumbing to such inducement."
- "Expecting rewards for doing one's duty."
- "The behaviour of somebody violating the rule or other's rights."

Combating Corruption: A Training Manual

Recognising Corruption

Corruption can take many forms, but can be found wherever there is power and money:

- Judges being influenced in a court
- Politicians taking bribes
- Police taking money from criminals or keeping proceeds of crime
- Journalists receiving money
- Soldiers looting

Context : Corruption in Sri Lanka

Case Study: Ampara & Hambantota



Buddhika Weerasinghe

it is the duty of the investigative journalism to transform politicians billboards into peoples gain

Political patronage is often a source of corruption. After the tsunami, international organisations like the Sri Lanka-Hungary Friendship League donated aid money for the reconstruction effort. Yet more than two years later, many tsunami victims are still living in temporary shelters.

Two of the districts affected by the tsunami were Ampara and Hambantota. In the Ampara district, home to many muslims, only 50 per cent of required reconstruction is completed. But in Hambantota, home to the President of Sri Lanka, twice as many new houses as were built than were required.

Even though there are 2,846 excess houses in Hambantota, around 200 tsunami victims are still homeless. In both districts, many new houses are abandoned because people fear for their safety in the poorly constructed houses. Structural flaws are common despite quality control procedures set in place by the government.

Also, registered construction firms local to Ampara and Hambantota were overlooked for the reconstruction, in favour of large contractors from Colombo. In other industries, the District Secretariat reports there are 2,000 new fishing boats in Hambantota. Before the tsunami there were only 1,170 boats in the region, but despite the excess, more than 100 fishermen who lost their boats and their livelihoods still don't have new boats.

Discussion Points

The potential for corruption and investigative reporting in Ampara and Hambantota is clear. Large sums of money have been donated to help people left vulnerable and homeless by the tsunami, yet many people are not receiving the aid intended for them.

If a journalist is to make allegations of corruption, a strong backing of documentary evidence is essential. The discrepancies between government records and the reality of what has been allocated is a good start.

- *What other documents could strengthen your story?*
Where did the money go? Many of the best investigative stories come from following the money trail.
- *What other sources would you investigate?*
Allegations of corruption will make people angry...
- *What ethical and legal issues do you need to consider when investigating? How can you protect yourself and your media organisation?*

Legal Framework

Enforceable in Sri Lanka

Anti-Corruption Laws in Sri Lanka

Sri Lankan Laws, Rules and Regulations Related to Corruption

Declaration of Assets and Liabilities Law

By Parliament of the Democratic Socialist Republic of Sri Lanka, on Oct 10, 2006 A law to compel certain specified categories of persons to make periodic declarations of their assets and liabilities in and outside Sri Lanka; to provide for reference to be made to such declarations by appropriate authorities and for investigations to be conducted upon the receipt of any communication against a person to whom this law applies; to provide for penalties for non-declaration of assets and liabilities and for false declarations; and to provide for matters connected therewith or incidental thereto.

Electronic Transaction Act No. 19 of 2006

By Parliament of the Democratic Socialist Republic of Sri Lanka, on Oct 09, 2006 An Act to recognise and facilitate the formation of contracts, the creation and exchange of data messages and other communications in electronic form, in Sri Lanka; and to provide for the appointment of a Certification Authority and accreditation of Certification Service Providers; and to provide for matters connected therewith or incidental thereto.

Bribery Act

By Legislative Enactment, on Oct 04, 2006 (1st March 1954) An Act to provide for the prevention and punishment of bribery and to make consequential provisions relating to the operation of other written law.

Commission to Investigate Allegations of Bribery or Corruption: Act No. 19 of 1994

By Parliament of the Democratic Socialist Republic of Sri Lanka, on Oct 04, 2006 An Act to provide for the establishment of a permanent commission to investigate allegations of bribery or corruption and to direct the institution of prosecutions for offences under the Bribery Act and the Declaration of Assets and Liabilities Law, No 1 of 1975 and for matters connected therewith or incidental thereto. Certified on 27th October 1994

Prevention of Money Laundering Act, No 5. of 2006

By Parliament of the Democratic Socialist Republic of Sri Lanka, on Mar 06, 2006 An Act to prohibit money laundering in Sri Lanka; to provide the necessary measures to combat and prevent money laundering; and to provide for matters connected therewith or incidental thereto.

The Media's Role

Watchdog for the people



today as media is under tremendous political and commercial pressure the good journalism rests on professional solidarity of journalists more than ever

In the introduction we discussed the media's role within a society as the Fourth Estate: keeping the other three key institutions (the Executive, the Legislature and the Judiciary) in check. The media has been described as probably the most important of these estates, because:

"It is through the mass media that a nation communes with itself and with other nations beyond. It is in that way that the authorities within a nation sense the problems and aspirations of the people they are established to serve. Conversely, it is through the same channel that the people sense the capacity and policies of those authorities."

Stapenhurst, p28

You could also think of the media as society's watchdog. It keeps an eye on the authorities, and when it sniffs out suspicious behaviour it makes a lot of noise to let the people know.

So clearly the media has a key role to play in a society infected by corruption. In this situation, the media has the power and indeed the responsibility to raise public awareness about corruption, its causes, consequences and possible remedies. Through investigative reporting techniques, the media can uncover and expose incidences of corruption.

Ultimately, the effectiveness of the media in fulfilling its watchdog role depends on its access to information, freedom of expression and building a cadre of professional and ethical investigative journalists.

What is investigative reporting?

"There is no more important contribution that we can make to society than strong, public-spirited investigative journalism."

- Tony Burman, Editor-in-Chief of CBC News

Investigative journalism is a particular type of journalism. To some degree, journalists practise investigation techniques every day. You do it yourselves when you are writing stories; you have to think of who you will interview for a story and what questions you will ask. You have to determine if you have the whole story or if more sources are needed or if different questions are to be asked before you can be satisfied that you have the complete picture that will inform your readers/audience.

Investigative journalism goes further. It requires journalists to dig deeper, ask more questions, seek out more sources and be prepared to spend time to get to the bottom of a story. These are usually specialist skills.

We will discuss the skills and tools of an investigative journalist from Chapter 6; for now let's look at what Corruption and Investigative Reporting (CIR) can achieve.

“There is no more important contribution that we can make to society than strong, public-spirited investigative journalism.”

- Tony Burman, Editor-in-Chief of CBC News

Tangible and intangible results of CIR

Investigative reporting is the media’s most powerful tool for exposing and fighting corruption. Through CIR, the media can produce results for a society – both tangible and intangible.

Tangible results of CIR are those which are easily identifiable, visible outcomes that can be attributed to a specific story or series of investigations. Good investigative reporting can prompt changes to legislature, public inquiries, police investigations and shifts in public opinion. These results could take a number of forms, including:

- Investigating and exposing corrupt officials and office holders
- Prompting investigations by official bodies

- Enforcing the work and legitimacy of the state’s anti-corruption bodies
- Strengthening anti-corruption bodies by exposing their flaws
- Helping shape public opinion hostile to sleaze in government
- Pressure for changes to laws and regulations that create a climate favourable to corruption
- Anticipation of adverse media publicity prompting a pre-emptive response

Stapenhurst, p10

This last point is very interesting: simply inquiring about apparent wrong-doing can prompt pre-emptive responses by authorities, even before a story is published. Such is the power of investigative reporting.

Then there are the **intangible effects**. They’re not so visible or easy to attribute to a certain story. They are the checks on corruption that result from the broader social climate of a society with a healthy free press and access to information. Such a social climate is marked by political pluralism and lively public debate. Perhaps most importantly, a hard-hitting independent media can foster a sense of accountability among politicians, public bodies and institutions.

Potential for CIR

Case study: *Telwatte train tragedy*

On December 26, 2004, a train left Colombo Fort on its way to Galle, on the coastline, and was caught in the tsunami at Telwatte. Around 1,500 passengers who were in the train died.

Immediate media coverage focused on photographs of the tragedy and emotive stories. Sinhala weekly *Ravaya* pursued an investigative line, first interviewing railway officials and exposing contradictions in their stories. On January 9 *Ravaya* published an article by a retired railway guard, who described management inefficiencies which had led to earlier railway accidents.

Ravaya’s investigative reports showed that there was a reasonable chance in avoiding the tragedy. The truth is that the

control room in Colombo did try to send a message asking the train to be stopped at Ambalangoda without allowing it to proceed any further. The assistant station master at Ambalangoda had not taken the message. News reports exposed that he was distracted by personal business interests at the time.

Although the railway guards carried mobile phones with them the control room did not have those numbers. On the other hand, the proposal to provide railway guards with official mobile phones was also shoved away. The decision to install automatic signals had also met with the same fate.

Investigating and exposing corruption and its causes can avert tragedies, and prevent them from happening again.

The power of investigative journalisms

Case Study: Woodward & Bernstein

There are a number of high profile stories that illustrate the best of investigative journalism and its power to create change.

Watergate is perhaps one of the most famous examples of investigative journalism. The work done by Carl Bernstein and Bob Woodward from *The Washington Post*, forced the then US President, Richard Nixon, to resign from office. But the work of these two journalists had begun several years earlier, with the fairly normal job of reporting on a break-in at the offices in the Watergate building in Washington.

The investigation revealed a long list of corruption and cover-ups: a White House “dirty tricks squad” who ran a campaign of political sabotage against a list of enemies, “plumbers” to plug information leaks and hush money pay-offs.

Nixon’s resignation and the subsequent shift in government were not the only tangible results of this groundbreaking case. The Watergate scandal changed the way US political campaigns are financed. It also influenced in the 1986 Freedom of Information Act, and other laws requiring government officials to disclose their financial activities.

Perhaps one intangible result of Woodward and Bernstein’s work was that it popularised a style of investigative journalism based on meticulous documentary evidence, confidential sources and sustained hard work over a long period of time. Watergate may have contributed to our suspicion of politicians, but raised the bar for holding them accountable.

Journalist training

Long-term improvements in the quality of journalism, and thus in the ability of journalists to impact upon levels of corruption, can be achieved only through investment in programs that teach journalists the basic tools of their trade. News-gathering techniques should include

- Internet and documentary research, interviewing and fact-checking.
- journalist ethics, including relevant codes of conduct
- legal concepts, including relevant international, national and regional legal frameworks
- local/national government and judicial systems
- national libel, defamation and access to laws on Freedom of Information
- writing and/or broadcasting techniques
- news-room management, including sound financial and personnel management techniques
- investigative journalism techniques, including basic security principles

Other famous cases

In recent years there was the investigation of the abuses of prisoners by US soldiers at **Abu Ghraib** prison, in Iraq. The story was originally broken by US television network CBS, but then well-known investigative journalist Seymour Hersch kept digging away at the story. He uncovered more information, more photos of abused prisoners, and eventually he discovered that senior figures in the US military were involved in the scandal.

Hersch had already made a name for himself by reporting on a massacre of civilians at the town of **My Lai** in Vietnam during the war there in the 1970s. That story had exposed a massacre and a cover-up in the US military and helped change public opinion about how the war was being fought and whether the US should withdraw its troops from Vietnam.

These are famous examples of investigative journalism – where journalists worked long and hard to uncover the truth behind a story, and eventually revealed it after many dangers to themselves, months of research and investigation.

Discussion Points

- Why should the media report on corruption issues?
- How much should the public be informed about corruption issues?
- What should journalists do when they hear of corruption stories – are they worth investigating?
- Is it dangerous for journalists to pursue stories about corruption?
- Is it practical – can corruption ever be stopped?
- How can journalists properly investigate corruption?
- Are there any necessary or desirable preconditions for journalists to effectively investigate corruption issues?

Positive action

As we already know, investigative journalism does not come to an end with exposing an issue. While highlighting the drawbacks people face due to corruption and fraud, investigative journalism can also include discussion of possible remedies and solutions.

When discussing remedies it is important to know of national as well as international experiences on the issue. The United Nations has produced a package of tools on Anti-Corruption and Fraud. These ideas are useful to guide your readers/viewers to positive action, and to add colour to articles written on the subject. Read more about the toolkit in the Appendix

How do we perform?



Buddhika Weerasinghe

water is the beginning of life. Making it a source of corruption and waste is a crime.

Research findings

Our survey of 96 journalists and 10 editors reveals much about the state of corruption reporting in Sri Lanka. Findings suggest that while investigative reporting is currently not a strong practice in Sri Lankan newsrooms, the country’s journalists are willing to improve their skills and do more CIR work.

Experiences

There is widespread scepticism of many official information sources, including police and government sources, which suggests journalists are aware of corruption. Yet the journalists surveyed reported that they had written few stories on corruption; 63 per cent had not produced a CIR story in the previous month.

Also troubling is that while journalists recognise official sources as flawed, many still rely on them for information. Those surveyed believe the police, government departments, the Commission for Investigation of Fraud & Corruption and non-governmental organisations proved very limited information on corruption and fraud.

- 89 per cent were not sure of the credibility of their information sources.
- 29 per cent said the police are their first source for reporting corruption, followed by concerned citizens, confidential sources and government officials.

More than half of stories in the Sri Lankan media use only one source, and Sinhala and Tamil press have been found to be particularly selective in the sources they use. Any news report should at least use two sources of information. This allows for cross-checking of information and is a vital tool to be used in reporting corruption and fraud.

Responsibility

The research suggests Sri Lankan journalists need to learn more about investigative techniques, and media employers need to devote more resources to encouraging the practice. According to the survey, potential for investigative journalism is hampered by the political interests of press owners, fear of revenge, difficulty in collecting adequate information, and editors’ political interests. Sri Lankan media seem to bear a sense of responsibility for exposing corruption, but many are cynical about the mechanisms in place to prosecute and punish the corrupt.

- 78 per cent believe that adequate steps are not taken by the local media for investigative reporting on corruption and fraud.
- 72 per cent say their newsroom does not include a specific journalist or beat devoted to CIR.
- 65 per cent observed that readers/viewers are interested in investigative reporting on corruption and fraud.
- 65 per cent also believe that Sri Lanka does not have enough legal provisions to eradicate corruption and fraud.

Qualities & tools

For investigative journalists



Buddhika Weerasinghe

displacement is not natural but a result of corruption and terror. They expect us to bring forward solutions as well.

Investigative reporting requires very specific skills and tools. While everyday reporting involves many of the basic skills of investigative journalism, it is the way these skills are applied which sets the investigative journalist apart.

Investigative journalism requires additional time, depth and techniques. Journalists need to spend more time researching a story, they must be properly resourced, they need to know where to look for the information they are seeking and they need to be strongly motivated to pursue a story.

Accuracy and ethical standards are essential to the credibility of investigative journalism. Every fact must be checked and journalists must be ready to back up their work with notes and documentary evidence.

“Investigative journalism requires a lot of scrutiny of details, fact-finding and physical effort. An investigative journalist must have an analytical and incisive mind with strong self-motivation to carry on when all doors are closed, when facts are being covered up or falsified and so on.”

- Lynne Thew, Pacific Union College

Qualities

So what sets investigative journalism, and journalists, apart from the rest of the media? It is not only the depth and thoroughness of the reporter’s work; although investigative journalism requires digging deeper than the usual story. Often investigative reports are done over a long period of time, incorporating research and analysis.

Beyond the technical side of the investigative journalist’s craft, however, is the spirit of investigative reporting. Investigative stories are invariably created in the public interest.

“Accuracy is the most important characteristic of any story, great or small, long or short. Accuracy is essential in any detail. Every name must be spelled correctly; every quote must be just what was said; every set of numbers must add up.”

- The Missouri Group in “News Reporting & Writing”

“A completely accurate story is not good journalism unless it is fair as well. The New York Times style book cautions, ‘A number of facts, each accurate, can be juxtaposed and presented in a tendentious, unfair manner.’”

- Doug Newsom & James A. Wollert in “Media Writing”

Investigative stories expose scandal and corruption for the good of those without power. Because of the controversial nature of many investigative reports, and the fact that such stories’ protagonists would often rather the stories not be told, a certain level of bravery is required from investigative journalists.

A tenacious attitude, high levels of self-motivation and persistence, and an incisive mind are also often hallmarks of a great investigative journalist. So too is discipline.

An investigative journalist must ensure their reporting is of the very highest quality. There are ethical concerns here as well. An investigative journalist could come under strict scrutiny by those who do not trust his or her news reporting, and by those who don’t wish to be reported on. Therefore, a single lapse in

ethics could expose the journalist to criticism and undermine their work.

Ethical concerns for journalists are discussed in detail in chapter 9.

Tools and technology

There are many tools an investigative journalist can use to improve his or her work. The most powerful information and documentation is generally difficult to access or hidden away. But human sources are not always dependable. Especially in cases of corruption and fraud, we have to base our proof on documentary evidence to strengthen our reports.

When exposing information from state documents, laws pertaining to access of information if any, should be utilised. Tools for investigative journalists include:

- laws relevant to access of information
- news reports
- reporting as proxy
- laws on corruption and fraud
- careful use of the Internet
- telephones
- human resources
- library
- reading, listening and observations
- computer-assisted reporting
- any other relevant tools and technological additions

Supporting CIR

Our passion alone is not enough to sustain investigative journalism. Regardless of society's need and the reporters' commitment, investigative reporting requires assistance and resources from the media organisation.

The media organisation must also have the courage to carry investigative reports. Journalists could be at the receiving end of threats and attacks, while the authenticity of the report and the motives of the media institute could be challenged.

Therefore, media organisations need to understand investigative journalism and provide the necessary inputs for such reporting.

There are many challenges that have to be overcome. The media organisation needs good legal advice and support to extract the necessary documents for a report, to assess the legality of a report and to protect journalists and the media organisation itself. Very often in Sri Lanka, defamation law is used to suppress or harass media organisations.

“Investigative journalism often involves a journalist going to extraordinary lengths to obtain hard-to-get information. Often, investigative reports expose the intents or actions of one person, government or corporations through undercover work or thorough research.”

- BBC Guidelines

Media organisations should also provide resources for investigative journalists. Such provisions include telephones, computers and internet facilities, and extra journalists for large assignments.

Investigative journalism consumes a lot of time. Investigative journalism is not daily or routine reporting. Access to some information may take days, weeks or sometimes even months. With cost-cutting in media institutes, investigative reporting is being hampered internationally. Reducing both numbers involved in investigative journalism and support for them, and then giving priority to daily news reports over well-documented, investigative exposures have resulted in investigative journalism losing its importance. And with investigative journalism losing its hold on the media, corruption and fraud cases may go unexposed, in the future.

“It is the highest form of journalism, pure journalism, real journalism, the reason journalists exist. At their best, investigative journalists serve the public interest by revealing secrets, exposing lies (and liars), uncovering uncomfortable facts, evading censorship and, sometimes, risking their lives to act as eyewitnesses to events.”

- Roy Greenslade, journalist, The Guardian

Questions to ask

- How will you approach the story?
- What investigative tools will you use to investigate the story further?
- What resources will you ask your media organisation for?
- Who will you talk to as background?
- Who will you interview? Why?
- What headline will you use?
- What will the lead be?
- What ethical issues are involved in covering this kind of story?
- How long will the story take to investigate?

Improvement

The majority of journalists surveyed accepted that to improve investigative journalism, a number of actions are needed. These include guaranteeing confidentiality of sources, allocating space in the press exclusively for CIR, and strengthening independent media.

Education and training are also integral to improving CIR – including making handbooks and guides for best practice available. The importance of editorial independence and legal access to information were also brought up by those surveyed.

- 74 per cent have had no investigative journalism training. Others had been to seminars on corruption and fraud conducted by the police.

Tips & Guides

For Investigative Reporting

Essentially, investigative reporting means digging beneath the surface and telling your audience what is really going on by emphasising the “how” and the “why” and not simply the “who,” “what,” “when,” and “where.” These tips can help you do just that.

1. Learn to dig up story ideas. They are all around you. The following strategies will help:

Ask a basic question: How well is a program, policy or department actually working?

Tips and sources: You may get tips via e-mail and telephone, but also keep track of the concerns of family, friends, bosses and co-workers.

Readings: Read, read, read. You might spot something that can be expanded upon or explained more in-depth.

Observation: Read bulletin boards or ads. Stroll through an unfamiliar neighbourhood. Talk to people you meet there.

Personal experiences: Are there parts of your life, or those of close family or friends, that might interest and educate others?

2. Develop a healthy scepticism. Do not get caught off guard just because someone seems sympathetic or a report looks official. Every person has an agenda. It is your job to separate fact from fiction and really investigate the truth of every bit of information you get.

Use the Internet carefully. Check every fact and figure you extract from the Web, as well as the source of the information.

Work with research librarians. They are trained to track down information from federal agencies, commercial computer databases and government databases.

Learn basic computer-assisted reporting skills. These skills bolster traditional reporting methods with surveys, polls and statistical analysis.

Cultivate human sources. Records, documents, references and other background information are important, but so are the people involved in the story you are trying to tell.

Know the law. Check the laws in your area related to journalism. There may be laws that protect journalists, such

as shield laws, or laws that help you get information, such as open meeting laws, campaign disclosure regulations, public licensing regulations and freedom of information acts.

Use key websites. They can provide good links and sources on a variety of topics - and answer many questions about the availability of public records and laws. Here are a few you should know about:

3. A Journalist’s Guide to the Internet - reporter.umd.edu.

Investigative Reporters and Editors - www.ire.org/resourcecenter/. Check out “Tip sheets.”

FACSNET - www.facsnet.org. Check out sections on “Reporting Tools” and “Sources.”

Online Journalism Review - www.ojr.org. Check out “Resources.”

Poynter Institute - www.poynter.org. Check out “Resource Center.”

The Reporters’ Committee for Freedom of the Press - www.rcfp.org. Check out “Publications.”

Reporter.org - www.reporter.org. Includes links to several journalistic organisations, reporting resources and publications.

Student Press Law Center - www.splc.org. Check out “Resource Center.” Offers legal information.

4. Be ethical. News rooms have their own ethical guidelines. To read those developed by the Society of Professional Journalists in the United States go to www.spj.org/ethics.asp. Or see the Australian Media Alliance’s code of journalism ethics at <http://www.alliance.org.au/code-of-ethics.html>.

5. Tell a good story. The goal of a good investigative story is to inform, educate and keep the interest of the reader, viewer or listener. In other words, you need to tell a compelling story. You are not writing an academic article or research paper. You must make people care about the topic you are covering, and the best way to do this is to weave in stories, anecdotes and quotes from people affected by this topic.

Developed by Laura Castañeda, Assistant Professor, University of Southern California, Annenberg School for Communication (Los Angeles).

“Essentially, investigative reporting means digging beneath the surface and telling your audience what is really going on by emphasising the “how” and the “why” and not simply the “who,” “what,” “when,” and “where.” These tips can help you do just that.”

Seven Basic Rules



Buddhika Weerasinghe

as fishing needs going to the deep sea good journalism always go deep into a story

“The Seven Basic Rules for Investigative Reporting” by Clark Mollenhoff

- 1.** Avoid political partisanship. You will cut off 50 percent of your effectiveness if you investigate only one political party or even have a special leaning toward investigations of one party.
- 2.** In seeking facts and answers, make a conscientious and determined effort to be equally aggressive whether the public officials involved are people you admire or distrust. You will do your friend a favour by asking him tough, direct questions because you will be demonstrating that he will be held accountable.
- 3.** Know your subject, whether it is a problem of a city, a county, a state or a federal government or whether it involves big labour or big business. If you are in a highly technical area or are dealing with a complicated fact-situation, you may make unintentional mistakes simply because you did not understand what you heard.
- 4.** Don't exaggerate or distort the facts of the law. Efforts to sensationalise will discredit your investigation in the long run.
- 5.** Deal straight across the board with your sources and investigation subjects alike. Don't use tricks or pretence to get people off guard. Don't use a false name or identity or impersonate a law enforcement officer. If you deal straight with the subjects of your investigation, it is quite likely that they will be your best sources of inside information at some time in the future.
- 6.** Do not violate the law unless you are willing to take the consequences. Any time you violate the law to obtain information you develop a vulnerability that can destroy your credibility as well as the story you are pursuing.
- 7.** Use direct evidence when writing a story that reflects adversely upon anyone and give that person an opportunity for a full response to the questions raised. Direct testimony is often unreliable, even when the witness has no personal interest, and the chances for error increase with geometric progression as your source is removed one, two or three steps from the event.

From The Committee of Concerned Journalists

Investigative approach

by Uvindu Kurukulasuriya



because it should not direct your story in it is important to carefully plan your interviews,

As a reporter, you must have an understanding of facts you can substantiate; questions you must ask; and factors you have not considered as yet.

How can the authenticity of a “tip-off” be verified? Who would provide you with the right information?

It has to be decided with *whom you speak first*. This is an important decision, because the order in which you conduct interviews can affect the direction of the story.

If the first stop is the officials, the perspective you get will be related to the issues of laws and regulations. As this group is usually experienced in dealing with the media, they know how to limit information and the media’s ability to proceed with a story.

What about the other groups you will interview? What are they going to say? Have you made assumptions? How will these affect the formulation of your questions? These are questions that you’ll have to consider.

Is the information gathered specific? Is it too generalised? Can the authenticity of the items of information be verified? If

so, how can they be verified? Do those being interviewed seem to be reliable? Why?

Many more questions must be asked. You should decide whether it is impossible to verify the authenticity of the information. If so, is it so important that the news item cannot be discarded?

Finally, you must decide whether the story is newsworthy. Consider all the facts as a whole and ask the following questions: Will this generate other newsworthy issues? What are the ways open for investigative action?

You can continue this and further investigate them through contacts and interviews with Grama Seva Officers, Local Government bodies, top officers of the Police, the Coast Conservation Department, Mines and Geological Survey Bureau, Provincial Council, Human Rights organisations, civil society organisations, professionals in the legal field, and policy and decision makers. Similarly, you can use legal documents, circulars and official directives and parliamentary bills for this purpose.

Ethical Framework

What if journalists are part of the problem?



Media freedom go in hand in hand with social responsibility for rights we use belongs to the people.

Investigative journalism should not ignore the fact that, in a corrupt society, journalists could also be among the corrupt. Unless this is realised and steps are taken to mitigate such possibilities, the media is a poor watchdog indeed.

Corruption infects the media just as it does society. It not only erodes the credibility of the media but undermines the right of society to expect the media to highlight their problems and means to solve them. A corrupt media cannot be the voice of the voiceless.

Journalists at the training workshop came up with a number of ways for journalists to avoid corruption, including:

- organising campaigns against corruption and fraud with journalists
- taking a pledge that journalists would not accept gratifications or gifts
- working towards a decent, comfortable salary for journalists
- compensating provincial reporters adequately for their services
- establishing a standard procedure and norms in recruiting provincial reporters and in monitoring
- educating politicians, the police, the security forces, the business community etc on the importance of independent and free media
- including clauses on corruption and fraud to the media code of ethics
- conducting disciplinary action against corrupt journalists
- forming organisations and associations that strengthen solidarity among journalists
- exposing individuals who offer gratifications to journalists

What can we do to combat corruption?

- Put anti-corruption clauses in ethical code
- Run anti-corruption campaigns with journalists

- Target politicians, police, the military, business on the importance of a clean media – and get them to sign an anti-corruption media charter
- Secure decent pay for journalists
- Get journalists to sign a declaration that they won't accept bribes or graft
- Promote ethical journalism
- Have strong and independent complaints and enforcement mechanisms for journalists
- Build the union and journalists solidarity
- Identify or “out” those in public life who offer bribes to journalists

The Code of Ethics

The survey revealed only half of Sri Lanka's journalists are aware of the journalists' Code of Ethics. Worse still, only 11 per cent have a copy of the code. Less than half of the journalists surveyed had received any training in ethics.

What society should expect from the Press

1. Truthfulness
2. Proof that the journalists' first loyalty is to citizens
3. That journalists maintain independence from those they cover
4. That journalists will monitor power and give voice to the voiceless
5. A forum for public criticism and problem -solving
6. News that is proportional and relevant

Citizens Bill of journalism Rights

Lurks and perks

Case study: journalists and bribes

Sample letter declining a gift

Dear xxxxxx

Your recent gift came as a pleasant surprise. I appreciate your thinking of me. But the gift puts me in an awkward position. The New York Times bars its reporters and editors from accepting anything of value from the people or groups they cover. The paper does not want to risk the perception that it will cover a subject more thoroughly or skew its coverage of controversial subjects because interested parties have expressed appreciation for its efforts.

So I must return your gift with thanks. I hope you understand our position, and I thank you for your thoughtfulness.

Sincerely,xxx

A journalist who exposed a pharmaceutical deal was invited by an owner of a private hospital for an informal evening. The businessman apparently stood to gain from the expose. As the journalist was about to leave, he was given an information file with an envelope of money. When the journalist asked about it he was told that it was a present for Sinhala Hindu New Year. The journalist returned the money after the New Year. (Narrated by Poddala Jayantha)

A businessman dropped an envelope of money into the pocket of a journalist after a political discussion, saying he shouldn't wear the same shirt for every TV program. The journalist did not have the courage to refuse it immediately, but donated the money to the Welfare Association of the newspaper after explaining the situation. Thereafter, a message explaining the situation was sent to the businessman through a close friend. (Narrated by Sunanda Deshapriya)

A politician regularly invited journalists from the mainstream media for parties, with food and beverages on the house. His intention was to develop a group of loyal journalists. The parties came to an end when a journalist offended the politician with insinuations he was a "rogue". The journalists soon found another politician to sponsor their evenings. The journalists seemed oblivious that this practice not only degraded journalists but also corrupted them. (Narrated by Athula Vithange)

Refusing bribes: how and why

The previous cases, real-life scenarios reported by journalists during the training program, illustrate the dangerous and seductive culture of bribery which can ensnare journalists. It is an accepted fact that as journalists, there are opportunities available to enjoy personal gains.

Journalists must work together to end this culture of bribes and favours, which compromise the integrity of journalists' reputations and objectivity. This unwanted practice can only be wholly rejected through the individual strength of journalists in refusing to accept presents, kickbacks or other personal gains. Media organisations should work against such untoward practices.

There are journalists who maintain that such ethical behaviour is not possible. They should be politely asked to publicly declare the gifts they receive as journalists, or encouraged to think how their professional reputations would fare if those kickbacks become public knowledge.

If we are to call for transparency and accountability from our public figures, journalists and editors must hold themselves to the same stringent ethical standards.

- the status of a journalist should not be used for personal gains
- impartiality, independence and integrity should not be compromised for any payment or gratification
- conflict of interests, if any, should not be kept a secret
- avoid being treated by sources of information

Sample letters like the one above, used by *The New York Times*, may be helpful in politely refusing a gift.

Discussion points

- Are the penalties involved with corruption enough to deter people from becoming involved?
- Should punishments be harsher than they are?
- If all people are paid decent fair wages, will they be less likely to become involved in corruption?
- Do our organisations have codes of practice and behaviour to prevent employees and managers from becoming involved in corruption?
- Do we also have proper financial systems that will enable us to easily trace instances of corruption?
- What about protecting people who report corruption – do they have enough protection so that they do not feel threatened when they report of investigate corruption?

Conclusions

Steps forward for CIR



Buddhika Weerasinghe

Natural disasters bring forward exceptional tragedies. Journalist who investigate not only the disaster but also the remedies make a better world,

Journalists

- establish a network of investigative journalists
- disseminate new knowledge, information and positive stories on investigative journalism
- improve skills and new knowledge through workshops with practical work
- exchange information between media institutes to expose major stories on corruption
- organise regular discussions between news editors and features editors on how best investigative journalism (on corruption and fraud) can be developed

- publish follow-up news stories so investigative journalists do not get isolated
- ensure an ethical media practice that refuses gifts and gratuities

Editors

- establish a centre that could provide resources, knowledge and skills development necessary for investigative journalism
- assist the network of investigative journalists and support its development
- maintain a website as an alternative source of information and for publishing of investigative articles
- formulate principles, guidelines and ethics for investigative journalists
- conduct practical training workshops of about 5 days' duration in all parts of the country (should include sessions on Auditor General's Department and the Bribery and Fraud Investigation Bureau)
- give field exposure to provincial reporters
- prepare an investigative report on tsunami rehabilitation and reconstruction covering all aspects of the recovery process
- introduce incentives and appreciative systems for good investigative journalism
- intervene on behalf of investigative journalists when necessary, especially regarding their security
- Continue working on lobbying for enactment of laws to safeguard the right for information

Media owners

- assign experienced journalists for investigative journalism
- respect editorial independence
- formulate institutional procedures that assist investigative journalism
- allocate resources and incentives for investigative journalism
- adopt a better recruiting procedure and a system that rejects gratifications and gifts
- provide reasonable salaries to journalists for them to afford a decent and a comfortable life
- pay special attention to provincial journalism

Resources

For further investigations

- **Canadian Association of Journalists**
www.caj.ca
The **Canadian Association of Journalists** is the national voice of Canadian journalists. It promotes excellence in journalism and upholds the public's right to know.
- **Center for Investigative Reporting**
www.muckraker.org
Based in San Francisco, it is a reporting organisation dedicated to independent, in-depth coverage of social issues.
- **Center for Public Integrity**
www.publicintegrity.org and www.icij.org
Based in Washington, D.C., it specialises in “public service journalism,” working with news organisations worldwide. Its program, the International Consortium of Investigative Journalists, is a network of over 80 reporters in 40 countries.
- **Investigative Reporters and Editors**
www.ire.org
With 5,000 members from 27 countries, IRE is the world's largest association of investigative journalists.
- **Media and Good Governance: Exposing Corruption in Africa**
<http://www.ifj.org/default.asp?index=666&Language=EN>
- The effects of media on corruption: http://smye2002.univ-paris1.fr/program/paper/f7_ant.pdf
- **The media's role: Covering or covering up corruption**
<http://unpan1.un.org/intradoc/groups/public/documents/APCITY/UNPAN008437.pdf>
- **Transparency International (TI)**. The global coalition against corruption
<http://www.transparency.org/>
- **Anti-Corruption Tool Kit**
http://www.unodc.org/unodc/corruption_toolkit.html
- **World Bank: Governance and Anticorruption**
<http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTGOVANTICORR/0,,contentMDK:21109587~pagePK:210058~piPK:210062~theSitePK:3035864,00.html>
- **UN: Transparency and Anti-corruption**
<http://www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/anti-corruption.html>
- **USAID democracy and governance**
http://www.usaid.gov/our_work/democracy_and_governance/technical_areas/anti-corruption/
- **Anti-Corruption Resource Centre:** <http://www.u4.no/>
- **A Global Union against Corruption:** <http://www.againstcorruption.org/>

The Free Media Movement (FMM) is a voluntary grouping of journalists and media activists. The objective of the FMM is to safeguard media freedom, develop it and make it effective. The FMM also accepts that media freedom best works in a democratic society and therefore intervenes and mediates in safeguarding, promoting and enjoying democracy and human rights, when necessary.

The FMM is one of the three members of the Centre for Investigating Election Violence and one of the three foundation members of the Sri Lanka Press Institute.

The FMM is a member of the International Federation of Journalists (IFJ) and is a founder member of IFEX, the international network of media organisations. In order to achieve its objectives, the FMM collaborates and works with local and international organisations.

The Sri Lanka Anti-Corruption Program, or ACP, was initiated by USAID to help strengthen measures to combat corruption and monitor the disbursement of tsunami-related development assistance. The project began in January 2006 and runs until October 2007.

The ACP provides technical support to Sri Lankan partners to enable them to increase the accountability and transparency of post-tsunami relief and reconstruction programming.

The ACP has conducted over 100 awareness training meetings, workshops and conferences in local communities. A small-grants program involving 20 local and national civil society organisations has supported innovative approaches to combating corruption. A National Anti-Corruption Action Plan has been produced to help guide future anti-corruption programs.

