[BE] Online Journalists' Undercover Operation in Reality Television Programme Judged Unethical

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The Flemish commercial broadcaster VMMa's reality tv programme "My Restaurant" was invaded by three undercover journalists from the news website Clint.be. In this programme five couples are followed throughout their attempts to set up a successful restaurant business. One of these couples organised solicitations in order to recruit staff, in which ten journalists of the news website participated without revealing their journalistic capacity. Three of them were selected. Later on, they revealed the results of their undercover actions through emails and also by way of reports on their website. In the same period an interview was published in a Flemish magazine in which they exposed their infiltration. According to the complainants no serious societal importance that could justify the undercover operation exists. They noted that, in the published interview, the journalists spoke of a "stunt" and a "joke in order to lead as many people as possible to the website" and also admitted that they had done their upmost best to be featured as prominently as possible during important scenes. This proves that their only goal was sensationalism. After the complaint had been lodged, the journalists defended their actions by claiming that they wanted to expose the fact that participators in the programme are not fully aware of the consequences of their participation. However, these alleged exposures are not mentioned in the website reports or in the magazine interview.

In a fairly concise decision of 10 February 2011, the Vlaamse Raad voor de Journalistiek (Flemish Council for Journalism Ethics) judged the complaint to be well-founded. It referred to Article 17 of the new Code on journalism ethics (6 October 2010, see IRIS 2011-1/10), according to which, during the newsgathering process, a journalist should make him/herself as well as the aim of his/her actions known. The directive accompanying this provision sums up the conditions under which exceptions are allowed. Amongst others, the information to be obtained should reflect a great societal importance and it should not be possible to obtain the information via conventional journalistic methods. The Council noted that the journalists concealed their journalistic capacity, consciously adopted another capacity and made recordings with a hidden camera. It then observed that, in casu, there existed no great societal importance to justify these actions. Investigating whether the couples received sufficient professional support and why the couples from previous editions of this programme are not fond of it anymore could reflect a societal importance, neither the reports on the website

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nor the interview in the magazine, however, offer new and relevant information in this regard. Furthermore, it was not demonstrated in any way that such information cannot be obtained through means other than an undercover operation. As a consequence, the Council found a violation of the ethical principles on undercover journalism.

Beslissing 2011-02 van de Raad voor de Journalistiek over de klacht van de Vlaamse Media Maatschappij NV, Kanakna NV, de heer Jeroen Van Alphen en mevrouw Isaura Mariën tegen Clint.be en hoofdredacteur Jorn Van Besauw en de medewerkers Bart Pierreux, Cain Ransbottyn en Helen Heynssens

http://www.rvdj.be/sites/default/files/pdf/beslissing201102.pdf

Flemish Council for Journalism Ethics, VMMa NV v. Clint.be, 10 February 2011

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