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SELF-REGULATION MUST KEEP UP WITH TECHNOLOGICAL INNOVATIONS

Practical guide on how to prepare statements

Technological development presents opportunities and challenges for the media. Inevitably, these will also be reflected in the work of media councils.

In recent years, media councils have discussed the ways in which journalists publish journalism online or process and moderate reader comments, for example. The next topic media councils should consider is the conditions under which so-called news robots can publish journalism without human intervention.

Finland's Council for Mass Media (JSN) published its first statement on this subject – the journalistic use of algorithms – in 2019.*

Next, we will tell you how we made the statement. We want to share our experience with you so that you can learn from not only our successes but also the challenges we faced.

Our way of issuing statements is also suitable for addressing topics other than algorithmic journalism. Similarly, we have also made recommendations on, for example, the marking of advertising and the principles of removing online content.

JULKISEN SANAN NEUVOSTO

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* In Finland, self-regulation is based on the journalists' ethical code. Statements are a tool for the JSN to take a stand on ethical issues and to give more detailed recommendations to the media than what the ethical code contains.

1 Find out first if a statement is needed

The need for a statement may arise in different ways.

■ The council may receive several complaints on a subject on which the ethical code only takes a general view. In that case, it may be necessary to specify with a statement how the code should be interpreted.

■ The wish to discuss and agree on common rules may also arise from the media sector. The sector may have encountered situations where the journalists' ethical code does not give an opinion exact enough or where the media sector would like to have a unified approach.

■ The council itself can identify the lacking guidance in its code. Technological development, for example, may lead to new solutions in the media sector that the existing code does not address. This is precisely the reason for the statement on the journalistic use of algorithms, which we will explain in more detail below.

Whatever the initial reason for making a statement is, it is essential that the statement improves media practices from an ethical point of view.

OUR EXAMPLE

Ethical questions related to the use of algorithms had been under discussion in both journalistic and academic circles. As a contribution to this debate, "Algorithms and Media Ethics" was selected as the theme for the conference of the Alliance of Independent Press Councils of Europe (AIPCE), which was held in Helsinki in 2018.

The development and progress in the use of algorithms in journalism was, and continues to be, fast. We therefore considered it important that a media council takes a stand on the matter on its own initiative. The underlying idea was that if the media does not regulate itself, some-
one else would do it sooner or later. In addition, if journalists leave the regulation of the use of algorithms to regulators, the EU or platform companies, this will jeopardise the freedom of the press.

In addition, a complaint was lodged with the JSN concerning the correction of an error in a case involving the use of news automation.

http://www.jsn.fi/sisalto/6887-sl-18/
(in Finnish)

2 If necessary: bring the media sector together for a discussion

Media operators are different, and so is the media landscape in different countries. Research literature and international debate may give the wrong impression about the issue in question. It is therefore important to find out, before drafting a statement, the kind of established practices that exist in the sector. In other words, media councils need to find out exactly for what kind of media landscape the statement will provide guidance.

It is also important to listen to all operators in the media sector – not just the loudest ones. For example, if a media council makes a statement based solely on the views of media operators with large resources, it is possible that smaller operators may not be able to comply with its principles. Similarly, if a media council makes a statement that emphasizes the perspective of newspapers, radio stations may not be able to adhere to it.

OUR EXAMPLE

For the statements on algorithms, we first conducted an online survey (Google Forms), which we sent to 60 media operators in Finland. We chose the recipients so that their answers would give a versatile picture of the sector: large and small operators, online media, newspapers, magazines, news agencies, radio stations and television channels.

Our questions to the media representatives included the following: What kind of algorithmic applications might your media adopt in the near future? Does your media have internal guidelines for using and marking news automation and personalization?

One out of three recipients responded to the survey, and the responses we received gave us a comprehensive picture of how algorithms are used (or not used) in different media. Among the respondents were very different types of media, including the most prominent operators, which likely have the most resources to utilise algorithms in their editorial processes and which would therefore be most affected by our statement.

We set up an external working group with eight members for the purpose of drafting the statement. In addition to the chairperson and a complaints analyst from the JSN, the group included two other JSN members, two editors-in-chief and two experts in digital journalism.

The complaints analyst wrote the draft statements, on which the working group commented. The meetings of the working group took place at the JSN office and via remote connections. The size of the working group seemed appropriate not only logistically, but also from the perspective of enabling the debate to remain open and dialogue-like.

The draft statement was also discussed at the JSN's meetings. In this way, the diverse knowledge and skills of the JSN's members could be utilised in the best possible manner.

3 Ensure the usability and legitimacy of the statement

It is important that the principles of the statement are accepted and adopted by the sector. If the statement faces opposition and media operators are unwilling to commit to it, it fails to meet the principle of self-regulation, according to which the sector regulates itself.

Before publishing a statement, it is advisable to check that it is sufficiently…

…flexible, as in many cases, guidelines that are too strict and detailed could restrict the development of the sector.

…concrete, so that journalists understand how to act and the public can lodge complaints if the principles are breached.

…universal. It should not include technical or application-specific details because such parameters may change rapidly. The best kind of instructions are those that endure time.

The experiences of international colleagues may also be useful. AIPCE's internal discussion forum provides an excellent platform to this end:

www.presscouncils.eu/membersarea/

OUR EXAMPLE

After receiving responses to our survey and some informal discussions with operators in the media sector, we noticed that some important media operators in Finland were opposed to making the statement. They had concerns that the statement would hinder the digital development work carried out in the media houses.

It was very important for us to take this concern into account.

Our chairperson visited these media operators and discussed the matter with the editors-in-chief. The chairperson explained why the statement was necessary and alleviated the unfounded concerns related to it. The editors-in-chief were also given the opportunity to propose amendments to the text of the statement. In the end, none of the editors-in-chief proposed any changes to the text, but instead accepted it in its original form.

We also gave the statement text to a group of nonprofessional readers for a test read to ensure the text was understandable without special knowledge of algorithm-related terminology.

4 Publish and market the statement

When the statement is ready, it is important to draw the sector's attention to it. This may require a surprising amount of effort.

It is important to act openly towards the media operators, to explain the principles behind the statement and to answer any questions.

OUR EXAMPLE

As usual, we published the statement on the JSN's website and sent a press release about the statement to editorial offices.

In addition, we published a Q&A-style blog post on our website in which we answered about a dozen questions we had anticipated the statement would raise. We advertised on our social media channels that we would welcome more questions on the subject and complement our blog post with new answers. In addition, the members of the media council discussed the statement in their respective reference groups. We believe that acting in this manner helped to alleviate suspicions and misunderstandings that the statement would limit the digital development of the media or make it more difficult for them to operate.

In addition, three members of the working group that prepared the statement wrote an article about the background, work process and goals of the statement in Media & Viestintä (Media & Communication), which is Finland's leading scholarly journal of media and communication research.*

The published statement is available online in English: Statement on marking news automation and personalization.

http://www.jsn.fi/en/lausumat/statement-on-marking-news-automation-and-personalization/

* https://journal.fi/mediaviestinta/article/view/88457 (in Finnish)

Final remarks

Media councils must be able to monitor the technological development of journalism in a way that enables them to respond to emerging ethical issues. It is therefore important for councils to stay informed of the new practices in editorial offices and to follow the wider debate.

Above, we have discussed the general principles of making a statement and presented their practical application in our own work. We hope you will be able to utilize some of these methods.

Naturally, we do not claim that the working methods presented here are the only correct and perfect ones for dealing with new ethical issues. We would be delighted to hear about your practices! The AIPCE discussion forum is an ideal place to continue the discussion:

www.presscouncils.eu/membersarea/