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Centre for Open and Lifelong Learning

FEEDBACK TUTORIAL LETTER

2ND SEMESTER 2020

ASSIGNMENT 1

LEGAL AND ETHICAL ISSUES IN COMMUNICATION (LEC721S)

Assignment 1 Feedback

LEC 721 S

The assignments were well written.

Some of you lost marks because there was no reference page, but sources and other did not cite. Also you should site, but please add examples to show that you understand. Those questions are examples of questions that appear in the examination.

Below is what I was looking for:

QUESTION 1 [8 Marks]

Read Unit 1 Introduction to Communication. Define the following five concepts below:

- (a) Ethics – Ethics refers to the development of professional standards of conduct, and specifically refers to responsible professional conduct based on both group standards and individual norms.**
- (b) Law – A statue passed by parliament, assented to by the president, and is enforceable by a recognised authority which has legal powers to arrest and penalise those who do not adhere.**
- (c) Communication ethics – These are principles governing the practice of public and individual interaction; it defines the right and wrong aspects of that interaction.**
- (d) Morality – Morality is knowing and practising the good; being able to distinguish right from wrong according to one’s culture, upbringing, and environment.**

Question 2 [25 Marks]

Read Unit 1 Introduction to Communication, then with the aid of provisions of Article 13 (1) of the Namibian Constitution, give your assessment of why each of the following practices are (a) unconstitutional, and (b) unethical:

- (i) Theft of customer data (5 marks)**
- (ii) Theft of electronic intellectual property (5 Marks)**
- (iii) Forgery, illegal interception and identity theft (5 Marks)**
- (iv) Payment card and e-funds transfer fraud (5 Marks)**
- (v) Commercial/corporate espionage (5 Marks)**

(i) The theft of customer data by hacking computer databases is unconstitutional because it constitutes an invasion of the private details of each customer affected, and also because it invades the private data of the organisation from which it was stolen, which was legitimate permission to hold those customer details. The Namibian Constitution states in Article 13 (1) that “no person shall be

subjected to interference with the privacy of their homes, correspondence, or communications, which includes computer databases and the private data it stores of individuals. The theft of customer data is unethical because only the individuals themselves, and the organisations to whom they have given their personal details, e.g banks, the Inland Revenue Service, the Road Licensing Department, etc, have the privilege knowledge and access to that information. Theft of that information in order to create one's own database for potentially marketing one's own services or products remains theft, even if it is in the pursuit of business opportunities, and is therefore unethical. Article 13 (1) of the Namibian Constitution implies that for "the prevention of disorder or crime" and for the "prevention of the rights and freedoms of others", the Government of Namibia may investigate private communications, computer, i-phone or i-pod and other gadgets, and would be justified in doing so without the owner of the material's permission, in order to investigate electronic intellectual theft and protect the rights and freedoms of intellectual property and copyright owners.

(b) Theft of electronic intellectual property relates to illegal downloading from websites of audio-visual or documentary material that deprives the original producer of recognition and also of revenue, especially if the downloader incorporates the material into another production and claims it as his or her own product, failing to credit the original producer. It is unethical because it is extracted without permission from and/or payment of royalties to the owner. It is also unethical when the downloader incorporates it into another product and claims credit for the work.

(iii) (a) Forgery, illegal interception, and identity theft is unconstitutional because in line with Article 13 (1) of the Namibian Constitution, no one has the right to interference, intercept, or acquire by false pretences the identity, communication lines and messages, or social media accounts of individuals.

(b) Forgery, illegal interception, and identity theft is unethical because such hackers often gain unauthorised access to databases, including phone and web accounts, and use those account holders' identity and profiles to mislead with emails or messages on social media purporting to come from the owner of the account, but actually being used by an unauthorised person through a process called phishing. Examples are messages purporting to come from the account holder, claiming to be travelling in Nigeria where he has lost his belongings, including bank card, and needs help with paying his hotel fees, which he will reimburse upon his return home. Since the email/social media account appears to be legitimate and may even have the owner's image and profile, you transfer the money according to his/her instructions, and later find out that he /she was never anywhere near Nigeria, but that his account had been hacked by criminals to extract money by false pretences from the account owner's associates.

(iv) (a) Payment card and e-funds transfer fraud is unconstitutional because it also transgresses the privacy of an individual's possessions, which privacy is protected by Article 13 (1).

(b) It is unethical because it is a form of theft that unlawfully takes funds from a legitimate owner.

(v) Corporate espionage — sometimes also called industrial espionage, relates to economic espionage or corporate spying — it is the practice of using espionage techniques for commercial or financial purposes.

Question 3 [5 Marks]

Read Unit 8 Invasion of Privacy then answer the following question.

The above is an example of a private matter. If someone is facing financial difficulties, it is not newsworthy. Unless the person is well known and they have been summoned to court for default of payments. It's not newsworthy but a private matter if someone is facing financial difficulties and the information is not in the public domain.

Question 4 [5 Marks]

Read Unit 8 Invasion of Privacy then answer the following question.

You are broadcast journalist driving the company vehicle along the B1 road with your video camera, while driving, you come across an accident scene that occurred outside Okahandja, whereby four people burned in their vehicle. Another driver who was at the scene, seeing that you are a journalist provided you with the names of the victims. Will you broadcast the story? Explain whether or not you will broadcast the story.

Never publish names of victims unless family members have been informed. You should wait to get the names from the police. The police will normally inform the media of the names once their families have been informed.

Question 5 [Marks 7]

Read Unit 8 Invasion of Privacy, then answer the following question.

1. Your friend called you to inform you about a well-known businessman from your neighbourhood who was sentenced to 20 years in prison for defrauding hundreds of fishermen of their pension money valued over N\$20 million in the High Court three hours earlier.

2. You were doing your shopping and minutes later, someone gets shot in front of you, people near you are taking photos and sharing with their networks. Explain in which of the two scenarios would you share the photographs and other information with your social media networks, and why.

For the first scenario, it's fine to share the information as the accused person has appeared in court, and the charge has been read. The information is public. What you're reporting would not therefore be considered private information.

In the second scenario, sharing the information would be cruel. You may be violating the privacy of the victim and their family members of the victim have not yet been informed, it will be sad for them to have to hear the news from you.