Journalist Impact Survey 2021
Key Findings

February 2022
Executive Summary

Each year, we reach out to journalists, our primary beneficiaries, through our Journalist Impact Survey. This is an opportunity to take stock of the legal issues they face in the context of their journalistic work and to assess the impact of our work.

We are proud that 100% of respondents would recommend our support to other journalists and pleased that 84% continue to practice journalism. Over half of this year’s respondents also felt that their case had a wider impact in their region.

However, with the global decline of media freedom accelerated by the pandemic, journalists continue to operate in a more difficult environment than ever. For instance, the case success rate decreased for the second year in a row. The topic journalists most frequently found themselves facing legal action over continues to be political corruption. 84% of respondents believe they will continue to face legal action as a result of their work.
Background and Methodology
Background and Methodology

In 2021, we carried out our fifth annual Journalist Impact Survey to assess longer-term impact of our support on our primary beneficiaries: journalists. We sent the survey to all journalists who received judgment in their case in 2021. The survey questions are designed to understand:

- How journalists rate the quality, efficiency and quantity of Media Defence’s financial and legal support during their case;

- The impact of our support on case outcomes and journalist’s ability to continue reporting; and

- The wider impact of our support on press freedom laws and environments in active countries and to test our theory of change.

In 2020, we changed the way in which we obtain responses from the journalists we have supported. As a result, the response rate has increased from 54% in 2020 to 66% in 2021. 29 of the responses were in English, one was in Spanish and one in Portuguese.
If I didn’t have Media Defence’s support...

“Even this form I am filling out here would not have been completed; I would have been in prison by now..”
The Headline Statistics
2021 Headline Statistics

109 Media Defence cases closed in 2021

47 Journalists contacted*

31 Journalists responded

* We were unable to contact journalists for whom we did not have contact details or who were in detention. We also excluded third party interventions in which we represented ourselves.
2021 Headline
Statistics

68% of respondents were satisfied or extremely satisfied with the outcome of their case.

100% of respondents would recommend our support to other journalists facing legal action.

78% of respondents were satisfied or extremely satisfied with the lawyer who handled their case.

84% of respondents have continued to practice journalism since the conclusion of their case.
If we didn’t have Media Defence’s support…

“We could have been jailed or even completely stopped doing our work.”
The Respondent Profiles
Since 2020, there has been a 11% decrease in respondents identifying as journalists. For those who ticked ‘other’, respondents were human rights defenders, fact checkers, or cartoonists.
Since 2020, there has been a 10% decrease in women survey respondents. No one identified as transgender.
If I didn’t have Media Defence’s support…

“My lawyers would not have been really involved in my case.”
The Cases
Case Type

We asked survey respondents what type of case(s) they received support for. Similarly to 2019 and 2020, the most common type of case was criminal defamation, with 29% of respondents reporting they received support for this type of case. This was followed by civil defamation, with 26% of respondents reporting that they received support for criminal defamation cases.

Access to information saw a 10% increase when compared to the results in 2020, which is in line with respondents’ comments on the effects of COVID-19 on their work. Similarly, sedition did not feature as a case type in 2020, but has returned in 2021, as has blasphemy. It is important to remember that in 2021, 66 more cases closed as courts begin to recover after COVID-19 closures and therefore data is likely to show different results.
Journalistic Issues

In line with the trend from the last five years, coverage of political corruption most frequently leads to legal action (35%).

Other common issues journalists were writing about include:
- ‘Other Human Rights’ (16%),
- ‘Business Corruption’ (10%), and
- ‘Other’ (10%).

Other case types involved corruption at international organisations and restrictive blasphemy laws.

The category 'Other' included access to information and restrictive laws concerning social media.
Journalistic Issues and Outcomes

What was the outcome of your case?

- **Political Corruption**: 35%
- **Other Human Rights**: 16%
- **N/A - not related to a specific article, ...**: 13%
- **Other**: 10%
- **Covid-19**: 0%
- **National Security**: 3%
- **Health/Welfare**: 3%
- **Environment/Energy**: 3%
- **Crime/Justice**: 6%
- **Business Corruption**: 10%
Case Outcomes

45% of respondents said that their cases were successful, 3% higher than 2020. From the 36% who selected ‘Other’ the reasons included the case being withdrawn, the case not being admitted and one where the respondent was pardoned.

In 2021, the cases that closed had an average success rate of 57%, compared to 65% in 2020 and 73% in 2019. This year’s lower success rate is mainly due to an increase in cases that are lost at the domestic level. Media Defence had an 88% success rate and international mechanisms, showing that these national losses may lead to important international precedents.

This increase in negative outcomes at the domestic level is partially in line with our expectation in some of the countries in which we work, for instance where there is limited judicial independence and we aim to exhaust domestic remedies before appealing to a regional court. According to rankings from Freedom House, 37% of our unsuccessfully closed cases in 2021 came from countries with no judicial independence (0/4), and 64% where judicial independence was 0 out of 4, or 1 out of 4. It is also a reflection of the global decline in media freedom.
Success Rate Explained

Number of Unsuccessful Cases per Country (Top 5)

- Azerbaijan: 9
- Turkey: 5
- Cameroon: 4
- Argentina: 2
- Russia: 2
Ability to Continue Reporting

% of respondents reporting they are able to continue practising journalism after their case

Issues on which they continue to report

- Business Corruption: 12%
- Crime/Justice: 12%
- Environment, Climate Change or Energy: 9%
- Health/Welfare: 15%
- National Security: 10%
- Political Corruption: 9%
- Other Human Rights Issues: 18%
- Covid-19: 7%
Change in Journalistic Practices

When asked “As a result of the legal action you faced, have you changed your journalistic practice in any way?”, 30 journalists responded as follows:

- 37% (11) of respondents said that they have not changed their journalistic practice in any way;

- 3% (1) respondent is unable to leave the country as they have had their passport confiscated;

- 13% (4) respondents said that they ‘have had to be more careful’ in their journalism, and one says that they have to practice self-censorship;

- 3% (1) respondent said they were now scared to report on human rights-related issues.
“I would have been jailed for a year as I was unable to pay.”

If I didn’t have Media Defence’s support...
Change in Journalistic Practices

We asked journalists “What has prevented you from practicing journalism?”

- One journalist reported that as a consequence of being forced to move countries, they have lost all of their network and, therefore, need to begin again from scratch.

- Another journalist reported that they couldn’t be as active as before their case because media organisations were not willing to work with journalists who had received lawsuits.

- Two journalists responded that their detention made interviews impossible.

- Two journalists talked about threats and harassment they continued to face after their case.
How have you changed your journalistic practice...

“We now have our own broadcasting media house which makes it difficult for security and state agents to censor our work. In the past, we relied on other privately owned radio stations. We now have a fully functional human rights value based radio station”.
The Support
Quality and Efficiency

Respondents were asked to rank the quality and efficiency of Media Defence’s support and communication on a scale of 1-5 (whereby 1 is the worst and 5 is the best).

The quality of our legal advice and support, our efficiency and communication with beneficiaries continue to be at a very high level. The responses don’t vary much from 2020.
Quality and Efficiency

Quality and efficiency of Media Defence’s support and communication

- Quality of legal advice and support received from Media Defence
- Communication with Media Defence
- Efficiency of Media Defence

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Why Respondents Approached Us

When asked “Why did you choose to approach the organisation for support with your case?” the majority of the thirty respondents said they had approached Media Defence because someone recommended us to them.

Eight respondents said that they approached Media Defence because it was the only organisation they could find that supports journalists with legal fees. To date, we are the only organisation in the world that is solely focused on providing legal help to journalists, combining grants with pro bono legal support.

One respondent requested support to their case because we reached out to them.
Why Respondents Approached Us

- The organisation reached out to me: 3%
- I thought it could help add international pressure to my case: 13%
- I wanted to make sure a third party was involved to keep an eye on the case: 13%
- I trusted their expertise: 26%
- It was the only way I could cover the legal fees: 23%
- It was the only organisation I could find that supports journalists with legal fees: 26%
- Someone recommended that I ask for support from them: 58%
- It was the first organisation I came across when looking for help: 19%
How We Can Improve

Respondents were asked to rank the quality and efficiency of Media Defence’s support and communication on a scale of 1-5 (whereby 1 is the worst and 5 is the best). 71% of respondents ranked the quality of legal advice and support received from Media Defence as 5. This is down 4% from 2020.

We always strive to improve the support we provide and are keen to hear our beneficiaries’ thoughts on this. Suggestions for improvement included:

- “Sometimes it was a bit hard to get an answer quickly from [MD] so improved responsiveness would be nice.”
- “Media Defence supported us with financial support as the legal team was sourced locally. Where we have complex cases, we would appreciate legal advice as well.”
- “The grant size was quite small and the majority of legal fees related to this case needed to be sourced from other donors. Managing a grant of any size comes with a standard set of administrative costs, so when the grant amount is on the smaller side, it is less value for effort from an operational standpoint.”
Most Valuable Support

Respondents were asked: “Thinking about the different individuals or organisations that supported your case, which was the most valuable form of support for you?” and were given a free text box. Their responses have been coded.

- Advocacy: 19%
- Legal Support: 19%
- Emotional Support: 6%
- Financial: 58%
If we didn’t have Media Defence’s support...

“The chances of losing the case would be very high given the calibre of lawyer the person who sued me had.”
What three words would you use to describe Media Defence?

“Fast, caring, helpful”

“Committed, trustworthy, experts”

“Very powerful organisation”

“Responsive, patient, dependable”

“Fast, efficient, persistent”

“Kind, supportive, pro-active”
The Wider Context
Respondents were asked “Do you think your case has had a wider impact, either positive or negative, in your country or region?”. In comparison to 2020, the same amount of respondents expressed that their case had a positive impact (48%), but there was also a higher reported negative impact (13% rather than 5%).

**Positive impacts included:**
- “I think my case gave a lot of strength to journalists in my country because it not just secured my liberty, but also gave me a second chance to do my journalism. In fact, I have since won an award for being able to do my work.”
- “While the case was eventually withdrawn, we were successful in standing up to bad actors in government departments that attempted to restrict the constitutionally guaranteed rights of freedom of expression and media freedom.”

**Negative impacts included:**
- “My case was not or minimally reported in the local media which is all pro-government.”
Do you think your case has had a wider impact, either positive or negative, in your country or region?

- 48.4% A positive impact
- 25.8% A negative impact
- 12.9% Both positive and negative impacts
- 9.7% No impact
- 3.2% Unsure
Likelihood of Future Legal Challenges

Respondents were asked “How likely do you think it is that your journalistic activity will result in more legal challenges in the future?”

84% of respondents believe that their journalistic activity will result in more legal challenges in the future, which is a 11% decrease from last year.

48% of journalists continue to believe that their case had a positive impact on freedom of expression, yet they also believe that it is somewhat or extremely likely that their journalistic activity will result in more legal challenges the future. This response is in line with the ongoing deterioration of press freedom globally.
How likely do you think it is that your journalistic activity will result in more legal challenges in the future?

- Not at all likely: 38.7%
- Somewhat likely: 16.1%
- Extremely likely: 45.2%
Biggest Challenges Faced

“The biggest challenge I face as a journalist is that of being able to practice my profession without fear of reprisals.”

“The paucity of resources at the disposal of journalists, media houses, which in turn impact on their latitude to conduct research and more investigative articles, is a big challenge to the trade in general and journalists in particular.”

“I face a lot of trolling online along with consistent stalking by Police. Often men who pose as police or BJP workers come to my home, question my parents, ask for my sources of income etc.”

"Attacks by politicians, state institutions such as the police and their followers.”

“The practice of public officials who prefer to report criminal articles to the police rather than solving it through the official press council.”
Biggest Legal Challenges Faced

- Lack of lawyers working in the area: 9%
- Imprisonment: 9%
- Access to information: 5%
- Judicial interference: 5%
- Criminal libel laws: 19%
- State security laws: 5%
- Political pressure/Harassment: 19%
- SLAPP suits: 5%
- Length of trials: 5%
- Financial pressure: 19%
Biggest Challenges Faced as a journalist?

- Online attacks: 4%
- Impact on personal wellbeing: 4%
- Legal attacks: 15%
- Defamation: 4%
- State Violence: 15%
- Threats of violence: 15%
- Censorship: 11%
- Financial Pressure: 33%
“By stretching our fact-checking resources to the limit. We also faced an increase in hate speech and threats ranging from legal action against us, to threats of physical harm.”

“The pandemic led me to closing down my offices and scaling down the number of people I was working with. To date, I am yet to get another office and I am mostly working from home. My income has also been affected adversely as what I earn has been inconsistent.”

“For the kind of journalism I do, I need to travel. This has been largely impossible now for over a year.”

“It was very difficult to access of Information During the COVID-19 Pandemic.”
Has the COVID-19 pandemic impacted your journalistic work in any way?

- Yes: 72%
- No: 28%
Conclusions
Impact Themes and Learnings

Legal Support

Journalists continue to be highly satisfied with Media Defence’s support.

100% of respondents would recommend our support to other journalists facing legal action, 77% were satisfied with the lawyer that defended their case and 68% were satisfied with the outcome of their case. Many journalists felt that Media Defence’s support was critical for helping them defend their rights and all appreciated the financial support received.
28% of participants approached Media Defence as the only organisation they found that supported journalists with legal fees. A further 23% said that our support was the only way they could cover their legal fees. 58% of respondents felt that financial support was the most important form of support they could receive in their case, showing the importance of the grants offered.
Impact Themes and Learnings

Enabling journalists to continue to hold public officials to account

Irrespective of the outcome of their case, 84% of respondents continued to report on public interest issues following the closure of their case. While this is lower than previous years, it does match growing trends of media freedom deterioration, compounded by Covid-19. This year, 72% of journalists believe that Covid-19 affected their work, and as such, remains an important factor to consider in trends relating to press freedom. 37% of respondents had not changed their journalistic practice and 6% felt more courageous, or more determined to continue practicing. Importantly, 54% of respondents felt their case had a wider impact in their region.
Key Recommendations

- We will continue to share the survey to journalists on a rolling basis, one month after they have received judgment in their case, as this been effective in improving the response rate.

- We will aim to translate the survey into Azeri to ensure effective regional representation by survey respondents.

- We will add extra M+E activities to ensure that more women and gender-diverse beneficiaries are aware of our support and feel able to apply when required.

- We will continue to highlight the additional legal support available to all grantees.