

Conflicts of Interest: Guidance for Science Writers

[Note: The following excerpt of 4 common COI scenarios from a full-length guide comes courtesy of the National Association of Science Writers]

COI Scenario 4 - Publications, Clients

Some editors have suggested that I cannot do any public relations or communications work and still write journalistically for their publications. Similarly, some employers have suggested that their employees cannot do any writing for other publications. Written rules often do not expressly forbid this in such strict terms. How can I have a conversation with my editor or employer so that we both understand the rules and agree on what can and cannot be done? What responsibility, if any, do publications have in more clearly articulating their rules and expectations to both employees and freelancers?

Existing Guidance

Organization: NPR

Guidance: NPR Ethics Handbook, [section V. Outside work, freelancing, speaking engagements](#)

Notes: Provides a detailed summary of how NPR decides whether its journalist employees can do outside work. PR work is generally prohibited: “NPR journalists may not engage in public relations work, paid or unpaid. Exceptions may be made for certain volunteer nonprofit, nonpartisan activities, such as participating in the work of a church, synagogue or other institution of worship, or a charitable organization, so long as this would not conflict with the interests of NPR in reporting on activities related to that institution or organization.”

Additional Guidance

Source: Kendall Powell, freelance science writer and NASW Board member

Guidance: “Throughout my freelance career I’ve found it necessary to take on public relations and communications work to make my financial goals. So I personally wouldn’t work for a journalism client who has an absolute written policy against that.

But it’s usually never that black-and-white. My policy is to always disclose anything to my assigning editor that might have the slightest whiff of a conflict—and that policy has served me well, costing me at most a handful of assignments over 17 years. More often,

it simply means a disclosure of some kind is added to the story. Importantly, before writers even start a conversation with a journalism editor, they have to be prepared to walk away from either the journalism story or the communications work if the editor decides that's best.

When a possible conflict arises, I advise writers to get on the phone with their assigning editor and describe the type of work they are doing for the non-journalism client and how it might present a conflict. Writers can start that conversation by asking if the journalism publication has a clear written policy about it. If not (and I find this is often the case because editors want and need to make these decisions on a case-by-case basis), then writers should ask the editor if their non-journalism work would preclude them from writing for the publication. Writers should be sure to disclose the different types of work they are doing—some PR work is less acceptable to journalism editors (e.g. bylined press releases) than other communications work (e.g. blog posts for the general public's understanding of science).

If an editor says that no type of non-journalism work is acceptable, writers should consider asking the editor to outline the reasons why. And if the editor wants exclusivity, writers should consider asking for a raise. In my opinion, it's not fair to pay professional writers low journalism rates and expect them to remain purely journalists—it's financially untenable.

Writers should also ask if there is a statute of limitations for non-journalistic work. Many publications have "expiration dates" that allow writers to write for them in one, two, or three years after concluding such work, but those policies are not written in stone.

If writers have made a professional judgment that their non-journalism work does not overlap in any meaningful way with their journalism and that there is no potential conflict or even potential perceived conflict, I don't think they necessarily need to have a conversation about that work with their journalism editor. Some people may disagree, but if writers are keeping big boundaries between the two types of work (e.g. journalism about agricultural biotech and communications work for a firm that makes lasers), they are not likely to run into trouble.

Finally, I think it's helpful when journalism outlets have a clear COI policy written into their contracts. Most of my current clients do this, at least with respect to the need to disclose potential conflicts to assigning editors right away."

Source: Tom Abate, associate director of communications for the Stanford University School of Engineering

Guidance: "As a former freelancer, small town editor, big city newspaper reporter and, now, university PR person, I understand the concern. Journalists cannot be beholden to story subjects. If you've written about a topic or a person for an institutional client, trying to do an expanded or different version for a journalistic outlet will likely run afoul of the outlet's ethical standards. You can protect yourself against even the appearance of a

conflict of interest by following the “apples and oranges” rule. If you write about apples for institutional clients, then cover oranges for journalistic outlets. In other words, develop non-conflicting areas of expertise and cultivate different editorial contacts.

The wider the gap between your writing revenue streams the better, but you may be able to straddle both the scientific and commercial sides of big subjects like health sciences. The editor who buys articles on the latest uses of CRISPR Cas9 is unlikely to be troubled if you cover medical devices or hospital utilization rates for trade publications.

If you have a full-time job, your employer should always get your best work. I rarely freelanced when I was a newspaper reporter. For me, freelancing wasn't about the money; it was about exploring topics or places the job would never take me. For example, I solicited magazine assignments to underwrite working vacations in a city I wanted to visit. At my paper, the guidelines on freelancing by staffers were explicit. In the ideal world, all media employers would post such rules, both for the benefit of staffers who want to freelance, and on the flip side explaining any conflict of interest restrictions to outside freelancers hoping to sell into the publication.

But let's say you work at a publication with poor pay and benefits, and ambiguous freelance rules, and you need to supplement your income. Or, conversely, you are a freelancer who does some institutional work and who wishes to sell to a publication that does not publish its conflict of interest guidelines. In this case, I'd recommend following the apples and oranges rule with exceptional care. If you are a staff employee, seek freelance assignments in non-competing publications, and do all such work on your own time and with your own phone and computer. If you are a freelancer, only pitch the media outlet with work on topics different than what you sell to institutions.

Disclosure can pose other dilemmas. If, as an employee, you tell a stingy boss how you plan to supplement your income, they may pile on more work. If you say nothing and they discover your side hustle later, that could be worse. A sympathetic boss, who simply can't afford to pay more, may handle disclosure differently. Freelancers, in the course of pitching, should probably let an assigning editor know that they do institutional work but keep a firewall between that and their journalism. Either way, let caution and conscience be your guides. Integrity is your stock in trade. Never put it at risk.”

COI Scenario 5 - Publications, Clients, Sponsorship

Many newer publications that consider themselves journalism outlets have hybrid funding models. If I write for a publication that is funded in large part by a nonprofit foundation and given space at an institution or university, do I have a COI with the nonprofit or the institution/university? Both? Neither?

Existing Guidance

Publication: *The New Yorker*

Guidance: [A Code of Ethics for Journalism Nonprofits](#)

Notes: Published in 2016, this opinion piece notes a growing number of non-profit journalism outlets venturing into what has historically been a small playing field, with profit-based models previously being the rule. The new rules of non-profit journalism models are still being written, the author concludes. “It’s time to create a structure to go along with that development, lest the editorial independence that’s the whole point here be diminished.”

The author continues: “If nonprofit journalism is now becoming a sector, rather than a few cases, then it should organize itself and work up its own version of the traditional advertising-based editorial protections. That will be a struggle, too, but it will build trust with readers and media critics, and protection from editorial meddling.”

Publication: *Alliance Magazine*

Guidance: [Rule of the Road for Non-Profit Journalism Funding](#)

Notes: Alliance Magazine also places the responsibility of journalistic integrity in the hands of the publications, which “should have written policies that establish...principles of editorial independence, transparency and communication.” For instance, the *Honolulu Civil Beat*, funded by Pierre Omidyar, [lists its funders](#).

Organization: American Press Institute

Guidance: [Guiding Principles for Nonprofit Newsrooms](#)

Notes: The guidance includes keeping editorial independence, such as not allowing pre-publication review and not promising outcomes or conclusions, and transparency on policies around conflicts of interest, funding, and donors. American Press Institute also published this [report](#) on nonprofit news, which “explores the ethical terrain of nonprofit journalism by examining the kinds of grants made, the nature of communication between funders and grantees, the existence of journalistic firewalls, and the prevalence of written guidelines.”

Organization: National Public Radio

Guidance: [NPR Newsroom Implements New Funding Guidelines](#)

Notes: NPR has put the onus on its reporters to identify cases where they need to disclose that a story covers an NPR funder, or if a source for a story is supported financially by an NPR funder. (For example, Dr. X’s research is supported by an ACME grant. ACME also contributes financially to NPR.)

Additional Guidance

Source: Tom Siegfried, former editor and current contributing correspondent at *Science News*, and member of the advisory group for [Knowable Magazine](#), an editorially independent digital publication from *Annual Reviews* that is supported by grants from the Gordon and Betty Moore Foundation and the Alfred P. Sloan Foundation.

Guidance: “Every editor will have different policies. The first rule is to disclose any possible connection. As a freelancer, you have to earn a living. Writing one time for one institutional publication should not prevent you from writing other stories in the future that include talking to someone who works for the funding institution, but the ethics of this are not always clear-cut. Full disclosure is the primary responsibility.

If you had an ongoing or regular contract, where your income is largely coming from that institution, writing about anyone from that institution is probably crossing the line. One-off stories are probably okay, but particular editors and a particular outlet might not want a freelancer who writes for any institution.”

Source: Francie Diep, staff reporter at [The Chronicle of Higher Education](#) and former staff writer at [Pacific Standard](#) magazine, which was funded in part by the Social Justice Foundation

Guidance: “I think if you are funded by a nonprofit foundation, or are given space by an institution, you have a conflict of interest with both. How you deal with that conflict depends on the nature of the story you’re writing. There’s a spectrum of approaches, including not reporting on particular topics, reporting on conflicted topics and disclosing the connection, and reporting without mentioning the connection. Guiding questions to ask, when deciding how to approach a story, include: How does this story affect my funder’s or institution’s goals, reputation, or bottom line? What are the costs of not publishing a story in which I have a conflict of interest? The greater the extent to which a story will affect the funder’s interests, either negatively or positively, the greater the obligation to disclose.

Say a science news publication gets resources from a journal publisher. How should a journalist at a publication like that deal with writing about studies published by their affiliate or funder? Writing about a study typically helps a publisher’s reputation and bottom line, but I’d argue only a little. In addition, for outlets whose mission is partly to cover studies, the cost of cutting out an entire publisher is high. In this case, I think a good compromise could be to cover the studies and mention the connection.

One scenario I’ve run into is a funder suggesting sources and story ideas. I’ve found these ideas tend to further a narrative that would help the funder, whether or not they consciously understand that’s what they’re doing. It’s best not to cover such stories at all. I would ask to what extent this happens, before accepting a new staff job at a publication.

Many outlets have successfully covered their funders in negative stories. Think of the journalists who have reported on deteriorating working conditions in their own newsrooms. Such stories can even help build public trust: I once saw an outlet publish a big story critical of a foundation that had given it grants before, disclosing the connection. The story helped give me confidence in the publication's independence from the big players in its field. This simply may not be possible at a publication whose major funding comes from one foundation, but that's why it's important that the journalism ecosystem maintain diverse funders and funding models."

COI Scenario 6 - Clients

Is it better to write for a company in a field that I don't cover as a journalist, or a nonprofit in a field that I do cover as a journalist? Or is the potential COI about the same for both?

Existing Guidance

Organization: Association of Writers & Writing Programs

Guidance: [Why Freelance Writers Love Working Part-Time for Nonprofits](#)

Excerpt: "... Especially when a writer covers similar topics to an organization they work for, the neutrality of their freelance writing could be called into question. (This also applies to writers who work part-time in public relations roles.) [Writer Kelsey] Dayton gives an example: 'I write a lot of outdoor/environmental stuff so I wouldn't want to work for a wilderness advocacy nonprofit. I don't think most publications would want me covering the same issues the nonprofit advocates for and I'd have to consider if my employer (the nonprofit) would have any restrictions on stuff I could write.'

To take another example, medical writers might need to tread carefully if combining freelance writing with work for a patient advocacy group. But if they mainly write about cardiac medicine, and their organization is devoted to communicable diseases, uncomfortable overlap can be avoided."

Notes: The article covers nonprofit writing only and doesn't discuss writing for a company.

Publication: *The Open Notebook*

Guidance: [Navigating Conflicts of Interest](#)

Notes: This article quotes many freelance writers about their takes on mixing institutional (nonprofit and profit) writing with journalism.

Publication: *The Open Notebook*

Guidance: [How to Be \(or Not to Be\) an Advocacy Journalist](#)

Notes: This article quotes freelance writers, editors, and educators about writing for advocacy organizations. Advice varies, but includes considerations of whether an organization's agenda influences editorial decision-making and considerations of the reporting process. Is the writer pursuing her topic with factually based information and unbiased sources? Is he willing to "disappoint himself with the truth," in the words of Sebastian Junger.

Additional Guidance

Source: Wayt Gibbs, freelance science writer and editorial director at Intellectual Ventures

Guidance: "To be honest, I have never understood why many journalists see non-profits (more accurately referred to as activists or pressure groups) as more trustworthy than profit-making companies. Both have clear agendas and biases. Both frequently seek media amplification of their points of view for self-serving reasons. With few exceptions, neither are driven, as journalists are (or are supposed to be), primarily by the search for truth. The biggest difference between the two, from a journalist's perspective, is that non-profit organizations need media exposure more than profitable companies do. The latter can afford to advertise, and indeed that is the primary way in which they influence public opinion. (Let us not forget that a huge fraction of journalism is paid for by selling those ads, with all the COI that entails.) Non-profits generally have tiny advertising budgets, so they work that much harder to get 'earned media,' i.e., to influence public opinion (which is often the "product" they sell to their funders) by enticing journalists to write about the issues they care about from the point of view they espouse.

An interesting and relatively recent development in science writing is how many foundation/NGO grants are now available to science writers to fund projects that result in a major-media feature (as a condition of the grant). This is a neat way for science writers to get paid twice for an article. But it should be obvious that, as with political contributions, the grant-payers think they are getting good value for money they could have just as easily spent on advertising. Writers and publications should not delude themselves into thinking this money comes without perceived (and in some cases real) COIs attached. The same is true of monetary journalism awards given by scientific societies and activist groups.

In my view, then, the two situations in this scenario are not equal. It is feasible to work for a company and practice ethical, unconflicted journalism by avoiding areas in which your company has a financial interest. This is what I do. I would not consider any journalist who works for an NGO and covers the same areas in which that NGO advocates as free of COI. Whether your paycheck comes from a non-profit or for-profit, a job is a job—it is for-profit for you personally—and it biases your thinking and your ability to be objective."

Source: Esther Landhuis, freelance science journalist

Guidance: “If the company makes a drug, device or other product connected with a medical condition that you’d write about journalistically, getting paid to write for that company could pose problems. Similar concerns apply to paid work for a nonprofit that supports a cause or condition you write about. In my view, what matters most for determining a potential COI, regardless of whether a company or nonprofit pays for the work, is:

- Whether the work is regular/ongoing (as opposed to a one-off assignment)
- Whether the work’s timeframe is in close proximity to the journalistic assignment covering a similar domain
- How significantly the company/nonprofit work contributes to your overall income

Note that some outlets have strict policies that even forbid one-off assignments from institutions whose research (even from a different field) is highlighted in a journalistic story.”

Source: Robert Frederick, freelance journalist, editor, and producer, and digital managing editor of *American Scientist* magazine.

Guidance: “A company or nonprofit organization’s tax status makes no difference in terms of a conflict of interest. What matters is whether someone’s work for that entity—even if it is volunteer work—may be perceived as a conflict of interest to a journalism publication’s audience, which includes not only the public but also the other journalists who work for that publication.

Certainly, an editor can be a proxy for the publication’s audience. But you do not necessarily need to disclose all of your clients and volunteer activities. Instead, in thinking through whether a conversation with the editor is necessary, consider what an investigative journalist might find in seeking answers about the non-journalism company or organization in question. Consider the following questions: Is that entity involved in any way—products, services, relationships, donations, R&D, etc.—to you, your journalism, the publication, or to the publication’s audience? Has it been involved in any way in the past? Might it be involved in any way in the future? Could any of those past, present, or future involvements be perceived as a conflict of interest?

Those questions are easier to answer affirmatively when the company or nonprofit is in the same field that you’re covering as a journalist. For that reason, consider having a conversation early on with your editor about why you don’t have a conflict of interest, including how you came up with your story, who you intend to talk to in reporting it, and whether you know those potential sources or even know of them from your non-journalism writing.

That said, it doesn’t necessarily mean the potential for a conflict of interest is any less when a journalist writes for a company or nonprofit in a different field. Rather, answering

the above questions about potential or perceived conflicts of interest may require more digging when the subject matter is farther afield. But be aware that unanswered questions about potential conflicts of interest—because the answers are hard to find—are not substitutes for answers that suggest no conflicts of interest.

So although some writers say they avoid potential conflicts of interest by separating their journalism beat from the field they cover for their non-journalism work, that's merely a starting point. It may take investigative work to answer some questions about potential conflicts of interest. You may not be satisfied with the answers that you are able to find (in which case, definitely have the conversation with your editor and disclose your concerns). It's worth it to keep the trust of your publication's audience, which includes your commissioning editor, the publication's journalists, and your fellow freelancers."

COI Scenario 7 - Clients

Does the level of COI differ at all depending on the type of work done or the frequency? For example, would the conflict be less if the writing is more explanatory in nature (such as a white paper, alumni magazine article, or newsletter article) rather than more promotional writing aimed at customers or press (brochure, press release or social media outreach)? Does it make a difference if I do sporadic assignments for a client versus having a steady ongoing gig?

Existing Guidance

Publication: *Current*

Guidance: Article: [How Ethics Guidelines Can Catch Freelancers By Surprise](#)

Excerpt: "[I]t's generally agreed that staffers and freelancers alike shouldn't cover a spouse's company or political campaign. But what if a freelancer once contributed to an airline's in-flight magazine and is then asked to cover the airline industry? Kelly McBride, a media ethicist at the Poynter Institute in St. Petersburg, Fla., says such a circumstance doesn't necessarily amount to a conflict. But editors and contributors should discuss such matters to be sure."

Notes: Not so much guidance as a discussion of blurred lines, gray areas and how there isn't much existing guidance on the mix of work done by freelancers. "Many organizations' ethics policies could go further, [one source] says, by stating outright what's expected of freelancers who operate in a decidedly different milieu than staff producers, writers and on-air contributors." The article also acknowledges the importance of holding freelancers to same ethics codes as staff members, balanced with the reality that media organizations are "not paying free freelancers a full-time salary, so it's really hard to ask them to not take certain types of payments when that may be how they support themselves," as McBride says.

Publication: *The New York Times*

Guidance: [Spotting Freelancer Conflicts: A Solution With Problems](#)

Notes: This article, written by the public editor of *The New York Times*, discusses instances in which freelance contributors to the newspaper had apparent conflicts of interest concerning paid expenses and paid work for a related advocacy group. An assistant managing editor at the Times “ruled that there should be minimal restrictions on the two freelancers. [The first writer], he determined, is not eligible for any assignments about [a specific company’s] products, and [the second writer] is not to be assigned articles about environmental issues.”

Additional Guidance

Source: Cassandra Willyard, freelance science writer and NASW Board member

Guidance: “I recently asked the editor of a journal’s news site about this: Specifically, if I write press releases for X Institute, would I be able to continue to write for the journal? I was told that writing press releases for X Institute would mean that all researchers at X Institute are off limits for the journal’s news stories (not just the researchers included in the press releases and their research). The editor told me that writing for the publication put out by that same institute (which is editorially independent) would be less of a conflict. That would have to be examined on a case-by-case basis, he said.”

Source: Brooke Borel, freelance journalist and editor at *Undark*, an editorially independent digital magazine funded by the John S. and James L. Knight Foundation

Guidance: “I think about following the money. For me, even if it’s more explanatory in nature, like a white paper, the money would still be coming from the organization. So I wouldn’t necessarily want to write a piece of journalism about that same organization. If I’m working for a university and writing a white paper for them or promotional stuff and the money is directly coming from a specific department, I would then feel uncomfortable doing a piece of journalism coming from that same financial stream. Press releases are promotional. I think that’s a pretty hard line for me. Now if you’re doing press releases for a certain department and then writing about another department, that gets a little blurry for me. I think I would try to avoid that just to avoid any perceived conflicts.

I think the timing chronologically matters more [than the frequency]. If I got a pitch from someone who was doing press releases from a university last year and then they wanted to write about them journalistically, I would be hesitant. There are also so many other stories out there. Even if it’s sporadic, if it’s happening roughly around the same time the other work is happening, that poses more of a problem than if it happened five years ago and it’s not an ongoing relationship.”

Source: Jane Kirtley, Professor of Media Ethics and Law at the University of Minnesota

Guidance: “The short answer is a lot will depend on the journalistic outlets you’re writing for and what their comfort level is with your affiliations. Ultimately it’s going to be up to the editor to decide whether this is the kind of conflict that is troublesome. If they see it as a conflict, they can say, ‘Okay there is a conflict, but in our world as long as we disclose it to the readers, then that’s fine.’ Others would say, ‘We can’t use somebody who basically toggles back and forth between doing strategic communication/public relations work and straight reporting.’ I think every news organization is going to have a different set of standards in place about what they consider to be 1. an irreconcilable COI and 2. one that is it a potential COI but one that can be mitigated by disclosing the prior relationship.

Disclosure is not just for the benefit of your editors. It’s also for the benefit of the reader. I think readers have the right to know whether you have a prior connection with the organization that you’re now writing about supposedly as an independent journalist. If you’ve been receiving payment even as a freelancer from the organization that you’re then going to write about as an objective journalist, that creates a perception problem. One of the problems that journalists sometimes have is that they believe sincerely that they can draw a distinction. But it’s not about actual conflicts of interest, it’s about perceptions of conflicts of interest.

If you’re talking about the full-time staff of the PR arm of a university, then that’s pretty clear. That’s not the kind of person who can be writing a straight news story. But in terms of the distinctions between alumni magazine puff piece, a press release—they’re really all part and parcel of the same thing. They’re not news.

The lingering question for me as an editor and as a reader is, ‘Are you going to be pulling your punches in writing about them? Because you’ve always got in the back of your mind, ‘They might be paying my checkbook the next time.’ You do have to think somewhat strategically about whether doing that kind of work is going to undermine your salability as a science journalist.”