

REPUBLIC OF KENYA
IN THE MATTER OF THE MEDIA COUNCIL ACT CAP 411B
AND
IN THE MATTER OF THE MEDIA COMPLAINTS COMMISSION
MEDIA COMPLAINTS COMMISSION CASE NO. 10 OF 2026

MARITA A.E. H IMUDIA COMPLAINANT
VS
NATION MEDIA GROUP PLCRESPONDENT

RULING ON ADMISSIBILITY

A. THE PARTIES

1. The Complainant is Ms. Marita A.E.H. Imudia. She has filed this Complaint on her own behalf and on behalf of her minor children concerning a broadcast relating to the death of her late husband, Mr. Nick Imudia.
2. The Respondent is Nation Media Group PLC; a media enterprise duly incorporated in the Republic of Kenya. It owns and operates, among other media outlets, the television broadcasting station NTV.

B. PARTICULARS OF THE COMPLAINT

3. The Complainant alleges that the broadcast titled "**How Former D. Light CEO Nick Imudia Was Blackmailed to Death,**" aired as **Season 3, Episode 13** of the *Murder Tapes* series on **7th, 11th, 13th, and 15th May 2026**, breached various provisions of the **Code of Conduct Media Practise** (hereinafter referred to as "**the Code**").
4. The Complainant contends that the broadcast contravened several clauses of the Code through its content, manner of presentation, and alleged failure to adhere to the applicable standards of ethical journalism. In particular the Complainant alleges that:
 - a. The Respondent aired the impugned broadcast during the regulated watershed period of **5:00 a.m. to 10:00 p.m.**, notwithstanding the nature of its content, thereby exposing children and other vulnerable audiences to material unsuitable for broadcast during the watershed period.
 - b. The Respondent failed to adequately verify the facts before airing the broadcast and relied primarily on one account of the events without affording the Complainant an opportunity to respond to the allegations, contrary to **Clause 4 of the Code** which requires accuracy, fairness, and balance in reporting.
 - c. The Respondent broadcast information relating to the Complainant's private life without lawful justification or sufficient public interest, thereby infringing the Complainant's right to privacy in contravention of **Clause 16 of the Code** on confidentiality and privacy.

- d. The Respondent broadcast and presented distressing content involving minors in a manner that the Complainant contends was sensationalized and dramatized for commercial gain, contrary to **Clause 20(i) of the Code**, which requires the media to exercise particular care when reporting on matters involving children and to safeguard their best interests.
5. The Complainant seeks several reliefs, including the issuance of a reprimand by the Commission, an order directing the withdrawal and removal of the impugned episode from all platforms, and the imposition of a fine against the Respondents.

C. RESPONDENTS RESPONSE

6. In their Response dated **26th June 2026**, the Respondents admitted having broadcast the impugned episode but denied each and every allegation made by the Complainant. The Respondents maintained that the broadcast was prepared and aired in compliance with the applicable legal and ethical standards governing the practice of journalism.
7. The Respondents further contended that the broadcast addressed matters of legitimate public interest and public concern, including allegations of blackmail, mental health, and the pressures faced by senior corporate executives. They asserted that the programme sought to inform the public about these issues and that its publication was therefore justified in the public interest.

D. THE COMMISSION'S ASSESSMENT

8. The Commission is guided by Section 35(3) of the Media Council Act, CAP 411B, which requires it to conduct a preliminary assessment to determine whether a complaint is admissible and falls within its jurisdiction.
9. At this stage, the Commission is not concerned with the merits of the Complaint but only with whether it discloses an arguable breach of the Media Council Act and the **Code of Conduct for Media Practise, 2025 ("the Code")**.
10. The Complaint alleges that the Respondent's broadcast violated various provisions of the Code relating to ethical journalism. These are matters that fall within the Commission's statutory mandate.
11. The Commission is satisfied that the impugned broadcast constitutes media content subject to the Act and the Code and that the Respondent, as a media enterprise, is subject to the Commission's jurisdiction. The allegations, if proved, are capable of constituting breaches of the Code.

E. ORDERS OF THE COMMISSION

12. The Commission finds that the complaint raises a *prima facie* case of an alleged breach of journalistic ethics and professional standards. Accordingly, the Commission finds that the Complaint meets

the threshold for admissibility under Section 35(3) of the Media Council Act and admits it for hearing on its merits either through mediation or adjudication as provided under the law.

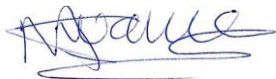
DATED and DELIVERED at NAIROBI this14th.....Day ofJuly..... 2026.



MR. DEMAS KIPRONO
CHAIRPERSON, MEDIA COMPLAINTS COMMISSION



MS. POLLY GATHONI
VICE- CHAIR, MEDIA COMPLAINTS COMMISSION



MR. KANTIM MWANIK
COMMISSIONER, MEDIA COMPLAINTS COMMISSION



MS. NASRA HUSSEIN OMAR
COMMISSIONER, MEDIA COMPLAINTS COMMISSION



MR. MASEME MACHUKA
COMMISSIONER, MEDIA COMPLAINTS COMMISSION



MS. LUCY MINAYO
COMMISSIONER, MEDIA COMPLAINTS COMMISSION



MR. NZAU MUSAU
COMMISSIONER, MEDIA COMPLAINTS COMMISSION