

Refreshing the legalities of ethical reporting on children

 By Leigh Andrews

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With #YouthMonth just around the corner, what better time to put the focus on how to more ethically report on violence against children? Here's my first report back from Media Monitoring Africa and the UCT Children's Institute media workshop on 22 May at the Doubletree Hilton.



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With attendees from a broad range of local broadcast and print and online media, the day offered an interesting mix of textbook refresher and cutting, relevant questions that kept the room debating beyond the typical 'how should we cover this story involving children'.

Taryn Hinton, Media Monitoring Africa's legal consultant kept the session running smoothly, sharing her passion for law and children, and how that intersects. The day was intended as one of learning, growing and being more empowered to make better choices when reporting on children.

The core focus of the day was to challenge us all to think differently and see the world differently while finding the courage to tell those hard stories.

Accurately reflecting children's lives in the media

Hinton said to think of the filters we apply as adults - from where we live to our past experiences - and how that changes the way we see the world. Our reality isn't necessarily the only reality.

She shared the following video as encouragement:

Hinton shared that children make up around 35% of the South African population. Legally, she said while there's evolving capacity the older you get, you're considered a child until the day you turn 18.

Despite this, coverage of children's issues tends to be minimal. Children are not on the agenda yet they should be, as the future of the country.



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Further explaining the importance of reporting on children, Hinton said the media should be creating news for and about them, not just in the extremes of the talented few who perform amazing feats or their polar opposites.

“ The media doesn't tell us what to think, it tells us what to think about. In your own agenda setting, of telling readers what to think about, do children feature? ”

Before you get started, there are factors to consider of both law and ethics around reporting on children and interviewing them. Start with a refresher on the law as you don't see the foundations when building a house, but without them, the house falls down.

Colouring in the story around black-and-white law, grey ethics

That's why the law is the starting point, the black and white of what to do. For example, you can't disclose the name of a child offender under the age of 18. Ethics is built on top of the law, as something to weigh up and practice every day on a personal level.

That's the starting point of good journalism. You won't even get out of the starting block if the law says 'no'. But Hinton says the challenges aren't in the easy questions but in the grey areas.

“ *When reporting on children, report the truth as fully as possible, but minimize the potential harm on the child* - Taryn Hinton [@MediaMattersZA](#) [@ClatUCT](#) pic.twitter.com/NP7i1tjOwF — Voice of the Cape (@VOCfm) [May 22, 2019](#) ”

This does get better with practice but remember it's a personal process. While applied individually that ethical debate needs to be supported collectively, as the coverage will include your byline but needs buy-in and understanding from your team.

Balancing public interest with rights of the child

There are two important aspects to keep in mind when it comes to appearance in court and criminal cases.



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The first is the presence of the media, while the second is about the publication of information around the case.

That's often where we get tripped up. There are clear definitions for underage witnesses and perpetrators, not so much for the victim. Usually, you can tell the story, as long as you don't directly or indirectly identify the victim or the perpetrator if they are under the age of 18.

Hinton says that not identifying the child often means not identifying the parents or school if you can help it.

The blurred ethics of social media

But what happens with a developing story, where the child turns 18 during or after the trial? As media, you're the gatekeeper, so best ethical practice is to still protect them.

“ *This becomes all the more tricky on social media, and online media comment sections are a free-for-all as the average citizen journalist doesn't live to those standards of ethical journalism.* ”

In balancing what's in the public interest against the rights of the child. Hinton cautions against sensationalism and says to focus on whether sharing certain details are in the interests of the public, or whether it's actually of public interest.



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When it comes to an underage survivor wanting to tell their story once criminal proceedings are over it's their choice to do so, as they have the right to freedom of expression, especially with parental consent or that of a guardian.

But it still remains an ethical issue of informed consent on the media. You need to make it clear how many people will see or hear the story and the potential impact thereof.

Hinton concluded the section with a reminder that every journalist is a human, which is why we're so touched by human stories.



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The best help you can give someone, no matter their age or circumstance, is to tell their story in the best possible way.

It's on us as journalists to uphold the standards in an era where everyone can publish their thoughts to social media.

I'll be covering further aspects covered in the workshop over my next few #FairnessFirst articles. Until then, follow [MediaMattersZA](#), [#MediaMonitoringAfrica](#) and the [UCT Children's Institute](#) for further updates.

ABOUT LEIGH ANDREWS

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