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Child rights in Media Coverage

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Abstract

Children and childhood across the world have broadly been construed in terms of a golden age that is synonymous with innocence, freedom, joy, play and the like. It is the time when, spared the rigors of adult life, one hardly shoulders any kind of responsibility or obligations. But, then, it is also true that children are vulnerable, especially when very young.

Human rights are fundamental freedom to which everyone is entitled. It is about being treated with dignity and respect. It is especially important to vulnerable or less powerful people – children, that in ill health or in care. Child related issues are important. Media professionals should always strive to bring attention to issues that affect children in society. Children's interests (ie trends, music, and social media etc) should also be explored and reported on by media professionals to encourage the involvement of children in the media.

We all know that India became independent on 15 August 1947. Correspondingly, the Constitution of India, which came into force in January 1950, contains provisions for survival, development and protection of children. These are included both in Part III and Part IV of the Constitution pertaining to 'Fundamental Rights' and 'Directive Principles of State Policy'.

Since media is the eyes and ears of any democratic society, their existence becomes detrimental to the sustenance of all democratic societies. Unless a society knows what is happening to it and to its members, the question of protecting or promoting rights does not emerge. Hence, it is in fulfilling this function that media justifies its existence. No doubt in India, media especially the print, has played an important role in educating and informing citizens of their rights as well as the violations of such rights.

Keywords: Child, Child Right, Media, Constitution, Reporting

1. Introduction

India is home to the world's largest child population. It also has over three million Civil Society Organisations (CSOs) and one of the largest and most complex media landscape in the world. A signatory to the Convention of the Rights of the Child, India has introduced several path-breaking programmes and legislations for safeguarding child rights. However, a low budgetary investment towards children has meant severe gaps in execution. Government-run programmes for children inevitably suffer from inadequate human and material resources, in some cases leading to terrible tragedies. Of the 430 million children in India, an estimated 236.5 million experience rights violations. Policy implementation aside, the sheer diversity and scale of violation demands that the role of the Indian media must come under greater scrutiny.

For long, the media has avoided child rights and child abuse due to the legal aspects attached to it. Ignoring an issue is not the true hallmark of journalism. Responsible media will always take up such subjects with great expertise, sensitivity and highest standard of ethical values.

While the Indian news media is entertaining and ubiquitous in many places, child right experts express concern on the nature of coverage of children, childhood and children's issues. The coverage is notably skewed toward topics that sensationalise news such as sexual exploitation and abuse (39 % of all child-focussed stories). Future-oriented, discursive or solution-focussed reporting is extremely rare. With a significant number of news items representing children as helpless victims, it's no surprise that stories on children's issues feature no actual child voice, with just 8 % of such stories quoting children.

No separate 'child beat' in Indian media is the key reasons for the low quantity and quality of child rights coverage. This in turn leads to fewer stories and editors often assigning only junior reporters to cover child-related stories. The media's understanding on children's issues

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is far from adequate. Many reporters do not have the background knowledge or capacity to appropriately and comprehensively report on child rights issues or violations, leading to dangerous and superficial reportage.

Objective of the Study

- What should a journalist do when reporting on a child identified as a victim of sexual abuse or exploitation or HIV positive/living with AIDS or charged/convicted of a crime?
- Highlighting the role of media in protection and promotion of children's rights during the news coverage.

Scope of the Study

The media plays a crucial and influential role in protecting and safeguarding child rights. It is only in the last few years that the awareness levels of child rights, on what happens to children including child abuse, their educational and special needs, have risen. Of course the media appear to give more attention to child rights issues than they did earlier but still there is a scope of high degree. The media should ensure that the rights of children including their right to expression and opinions are protected. Their right to privacy and identity should be respected.

The study helps to determine the role and responsibilities of the Media and his reporting against the innocent child of India.

Methods and Materials

The present study is based on Descriptive Research method. The primary and secondary data are collected from different reports, journals, books and internet, surveys, Committee reports etc.

Major Constitutional Provisions

Being one of the world's largest democracies, India has a federal system of government, with the States having their own democratically elected governments. The relative jurisdiction of the Central and State Governments over different matters has been indicated in the Seventh Schedule of the Constitution of India under the Union, State and Concurrent Lists. The survival, development and protection of children fall either in the Concurrent or in the State List. However, the implementation of schemes, including those of the Central Government, is carried out by the States. The 73rd and 74th constitutional amendments have recognized a third tier, below that of the State Government, viz., *Panchayati Raj Institutions* (PRIs), given them financial and administrative powers, and listed the subjects falling in their area of activities, a number of which relate to those services which have a direct bearing on children.

Fundamental Rights

Article 14: ... shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 15: ... shall not discriminate against any citizen... (3) nothing in this article shall prevent the State from making special provision for women and children. (4) Nothing ... shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

Article 17: "Untouchability" is abolished and its practice in any form is forbidden....

Article 19: (1) All citizens shall have the right- (a) to freedom of speech and expression;... (c) to form associations or unions; (d) to move freely throughout the territory of India; (e) to reside and settle in any part of the territory of India.

Article 21: No person shall be deprived of his life or personal liberty except according to procedure established by law.

Article 21 A: ...shall provide free and compulsory education to all children of the age of six to fourteen years...

Article 23: Traffic in human beings and beggar and other similar forms of forced labour are prohibited...

Article 24: No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Directive Principles of State Policy

Article 39: ... (e) ... the tender age of children are not abused... and not forced by economic necessity to enter avocations unsuited to their age or strength; (f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood... protected against exploitation and against moral and material abandonment.

Article 45: ...provide early childhood care and education for all children until they complete the age of six years.

Article 46: ...shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes,...

Article 47: ...raising of the level of nutrition and the standard of living of its people and the improvement of public health...

Article 51: The State shall endeavor to-... (c) foster respect for international law and treaty obligations...

Article 51A: ... (k) parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the ages of six to fourteen years.

What ethics say

- Seek the truth and report it accurately and as fully as possible;
- Act independently and listen attentively to children.
- Minimize harm;
- Ensure balanced reporting that is in the best interests of the child. The phrase "best interests of the child" refers to the well-being of any child in question. All actions concerning the child should take full account of this.

Media should

- Support the regional and international protections of children;
- Guard against any practice that may exploit or violate the rights of any child. According to the United Nations

Convention on the Rights of the Child (UNCRC) Article 1: ...a child means every human being below the age of 18 years, unless, under the law applicable to the child, majority is attained earlier.

- Encourage reporting on a diversity of matters involving children;
- Play a positive role in portraying children and their rights, and therefore support better attitudes and opinions about children and their rights.

Editorial guidelines in dealing with matters involving children

1. When interviewing children, respect their privacy and confidentiality and make sure you protect them from harm and potential consequences. In interviewing and reporting on children, special attention is to be paid to their right to privacy and confidentiality, to participate in decisions affecting them, and to be protected from harm and retribution, even potential harm and retribution. A child should always be interviewed in a safe, comfortable and nonthreatening environment. If the child does not want to be a part of the interview, his/ her wishes should be respected. A child should be afforded enough time to think about whether he/she wants a story to be published or not.
2. Children have a right to have their views heard on matters that affect them, so try and include them. The children's right to have their views taken into account is to be given due weight in accordance with their age and maturity.
3. When writing a story on children ask those who know or work with them, or are experts on the issue, about the potential consequences of telling their story. Those closest to the child and best able to assess a child's situation are to be consulted about the diverse ramifications, including potential political, social and cultural ramifications of any reportage.
4. Always hide a child's identity where the child might be at risk. No stories or images should be published that might put the child, siblings or peers at risk even when identities are changed, obscured or not used. When it is editorially necessary to publish a picture of a child that is potentially harmful to that child, the identity of the child shall be obscured in such a manner that the child cannot be recognised. In this regard, the face of the child shall be blurred or pixilated completely. However, pixilation the face alone is not enough; anything in the photo that may identify the child, like a bracelet or picture, must be obscured. Children involved in legal proceedings need even more protection, and, are at greater risk, so make sure to always protect their identity.
5. If we want to name or show a child, make sure that is allowed to do so by law and consent should also be taken from both the child and caregiver. Whenever the identity of a child is disclosed, whether pictorially or in print :
 - The statutory restrictions on the naming or identification of a child shall be observed and adhered to;
 - The informed consent of the child and caregiver of any child shall be sought in all cases. It should be noted that caregiver refers to a parent, guardian or an adult who has responsibility for the child, but that the degree of responsibility can vary depending on the circumstances;
 - Even if a child's caregiver consents to disclosure of the identity of a child, a journalist must exercise a cautious discretion, as it may nevertheless be harmful to the child

to publish the identity of the child.

6. Make sure to protect a child's HIV status. If in doubt leave it out. To prevent harm and possible stigmatization, a child's HIV status will not be revealed directly or indirectly, unless there are exceptional circumstances, and informed consent (from both the child and caregiver) has been attained.
7. Negative stereotypes about children based on race, gender, class, culture, and/or sexual orientation are particularly harmful for children and will be challenged where possible. Children's achievements should also be given due recognition in the media. Girls and boys have equal rights and gender based stereotypes will not be perpetuated when reporting on children.
8. When a child's circumstances makes him/her especially vulnerable (eg due to poverty, homelessness, parent or sibling's HIV status, being an orphan, child soldier or refugee) journalists must demonstrate extreme care to ensure their reporting does not cause further harm, trauma, distress, humiliation, embarrassment, grief or expose them to danger. The child should only be identified when informed consent has been given by the child and caregiver, when possible and appropriate, this consent should be in writing. It is vital that the permission of children and their guardian is not coerced in any way. In all cases reporting must be carried out in a manner consistent with the child's best interests.
9. Do not portray children in a sexual manner. Journalists must not use sexualized images of children.
10. A journalist must never abuse his/her position of power, especially when it comes to reporting on children. Journalists must never bribe a child with money, goods or promises of help or improved circumstances, in order to obtain information or secure consent. To do so is a gross abuse of power which is highly unethical and negates consent.

Reporting on Children in view of their rights Identifying children

When deciding whether to identify a child, the following questions must be answered before proceeding to report on a child, to ensure all the consequences have been thought through:

- Who is served by identifying this child? Why does the public need to know the child's identity? What is my journalistic purpose in identifying the child?
- How old is this child? How much does the child understand about the situation he/she faces?
- Who, besides the child, will be affected by your decision? Other children? Parents? Families? Victims?
- What are the legal implications of your decisions? What laws apply regarding child identification?
- How does naming the child allow the journalist to take the story into a deeper, more contextual level of reporting? What would identifying the child allow the journalist to tell the audience that they could not understand otherwise? For example, perhaps a deeper understanding of the child allows us to understand the circumstances of a crime or incident. If you do not name the child, who else could be implicated by rumour, or confusion about who is charged?
- How does the child's family feel about identifying the young person? Has the family granted interviews or provided information to the media? Has the child talked

publicly?

- What is the tone and degree of story coverage? How often would the child be identified? How big is the coverage? How will the child be characterised in the coverage? What guidelines do you have about the use of the child's pictures or name in follow-up stories or continuing coverage? Is the child's identification widely known already?
- If the child is charged with a crime, what is the strength of the evidence? Have formal charges been filed, or is the child just a suspect? How likely are the charges to be proven and the child prosecuted?
- In the absence of a parent or guardian, can the journalist find someone who can act in an unofficial capacity to raise concerns on the child's behalf so the child's best interests are not lost in the journalist's quest to tell a story?

Imaging –Showing Children

Images of children can be extremely powerful and have a significant impact on people. However, dramatic images of children used without context and for gratuitous value not only lose much of their impact but can violate the rights of the children involved. Dramatic images of children should therefore be used with extreme care and be contextualised within a story.

Hearing Children's Voices

Children have the right to participate in matters that affect them. At the same time, children are dependent, trusting and easily exploited or abused. By providing children with opportunities to speak for themselves – about their hopes, fears, and achievements, and the impact of adult behavior on their lives – media professionals can remind the public of children's rights.

Interviewing children

Interviewing children requires extra care and preparation. It is not the same as interviewing adults. These are some points to consider in the case of child interview:

- Take full time and cannot rush children.
- To the child, a reporter is just another adult. They might worry that they will look silly if they can't answer the questions, or they might close up if they see you as an authority figure.
- Get a few quotations in a formal interview. It is better to be around when they talk to their family, friends, or teachers. When necessary, reporter can fill in the blanks on details for the story from caregivers or teachers
- Don't be patronising.
- Don't assume its okay to touch the child. The child may not be comfortable being touched by a stranger. This is particularly true for abused children.
- Get down to their level, play with them. Let them show you their room. Talk about the things you see there, or ask to see their favorite toy.
- If journalist have come to the interview with a camera or sound equipment, let the child see it, hold it, talk into it. Perhaps record something the child says and play it back to her/ him, or let her/him hold the camera. This will make the child feel more comfortable around the equipment. But if there is the opportunity, meet children first without a notebook or camera.
- Children who have experienced conflict situations have

had to develop survival strategies, some of which involve telling reporters what they think they want to hear in the hope of getting some benefit in return. Don't judge them, but rather understand what they've been through. If there is doubt some of the facts, check with the caregivers.

- Treat children with respect. Talk to them just as an adult.
- Remember, a child will have to live with the story long after it has been published.

Gender

As with adults, gender stereotypes about children are common. Always try to avoid gender stereotypes about children; in particular it is important to challenge the roles of girls and boys as children. My research has found that girls tend to be featured in stories about abuse, while boys tend to feature in stories about sports and achievements.

- Consider whether there are gender dimensions to the story you are reporting and see if these can be highlighted in the story;
- Consider also the role of men and boys in family-focused stories;
- Consider the role of girls and women in sports and achiever focused stories.

Conclusion

Children bring fresh perspective to stories. They reveal a range of different and unique stories that challenge many widely held stereotypes about children. They also reflect and highlight varied experiences and views from different economic and cultural backgrounds. Children can tell how they would like to be referenced and identified in news stories. On summarise some of the findings of the reports produced and suggest that with training, targeted resources and ethical sensitivity, the media in India could do far more to improve and secure the rights, lives and futures of hundreds of millions of Indian children. There is tremendous potential and need for media and communications to contribute to the protection of child rights. Media should have to play their full role in promoting awareness of child rights, as well as in helping children realise their rights and in holding government accountable. A few additional points on opportunities and recommendations include the ample scope to improve quality and dissemination of child produced content into mainstream media.

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